CHURCH AND STATE
THEIR RELATIONS CONSIDERED

A THESIS BY

REV. FINLEY MILLIGAN FOSTER, A.M., Ph.D.

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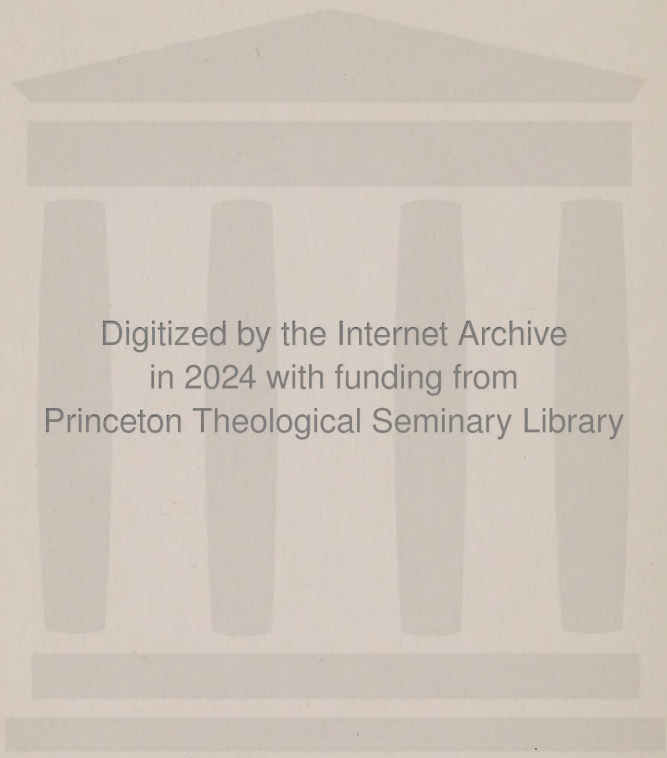
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A THESIS

By

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NEW YORK CITY

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DEDICATED

To My Congregation
Beloved in The Lord

PREFACE

That some good flows from the subordination of the State to the Church is admitted. That greater benefit results from the subordination of the Church to the State is affirmed. That Church or State, in either of these relations, can reach its highest development, or best serve the great ends for which it was instituted, is denied. These are realized when Church and State are independent each of the other.

It is proposed to demonstrate that political philosophy commands the separation and unrestricted independence of these two great institutions.

—*The Author.*

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CHURCH AND STATE: THEIR RELATIONS CONSIDERED

"The great struggle about the relation between Church and State which in recent times has strikingly asserted its importance, is as old as civilization itself, and will last until civilization ceases to exist." (Geffcken.) And it may also be observed that, though the question has been up for hundreds of years for discussion; and wrong and misleading principles have led to strife and blood, the overturning of governments and of like disaster to the Church; yet, no general principles of relationship between Church and State appear to be universally accepted or applied. Each nation attempts its own solution of the relation of these two great institutions. Hence, what are known as Christian nations present the question in varied aspects—from religious freedom and absolute independence of the Church as guaranteed in the United States, to the closest union and most intimate relation as seen elsewhere. In the solution of the question nations progress much as they do in civilization. Approaching the right solution, they enter into liberty so far. Continuing application of wrong theories, the citizen, the church, the state, suffer injury: are stopped from a high state of development, and the appropriation of great and broad principles of freedom. There must be, in the relation of these two institutions, a sound philosophy.

Much depends upon correct definition of terms. If it could be shown that either church or state is an unimportant institution—i. e., like a business corporation: and that the other is necessary to man's existance—i. e., Divine: all would be prepared for the unquestioned supremacy of the latter: and vice versa. If it be demonstrated that each institution rests upon the same high authority and enabling act: that each is independent: that both have to do with the citizen at the same moment: difficulty in determining the attitude of these two great institutions each to the other will be seen.

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DEFINITION OF TERMS

THE CHURCH

The Greek Church defines the Church:—"A Divine institution, a divinely instituted community of men, united by the orthodox faith, the law of God, the hierarchy and the sacraments." The Latin: "The company of Christians knit together by the profession of the same faith and the communion of the same sacraments under governments of lawful pastors, and especially of the Roman bishop as the only Vicar of Christ upon Earth." The Church of England: "A congregation of faithful men in which the Word of God is preached, and the sacraments be duly administer-

ed according to Christ's ordinances in all those things that of necessity are requisite to the same." The Lutheran: "A congregation of saints in which the Gospel is rightly taught and the sacraments rightly administered." The Confessio Helvetica: "A congregation of men embracing the Gospel of Christ and rightly using the sacraments." Geffcken: "Religion is the consciousness of a Divine Being, and the connection with that Being as manifest in Divine worship, and in obedience to divine commands." Westminster Confession: "The visible Church . . . consists of all those throughout the world that profess the true religion. . . . Unto the Catholic Visible Church Christ hath given the ministry, oracles, and ordinances of God, for the gathering and perfecting of the saints of God in this life, to the end of the world: and doth by His own presence and Spirit, according to His promise, make them effectual thereunto."

It will be admitted that these definitions are not full, that they present each a different aspect of the subject. To the Christian—"Religion embraces reverence toward God, and a source of dependence, accountability, gratitude and love. To a philosopher, it is a system of philosophy: to a Confucianist, it is a system of ethics; to the devil-worshippers of Africa, it is a nightmare of superstition to be averted by a fetish." (Prof. Ellinwood in University Lectures.)

All institutions do not hold the same relative position. Some are of more importance and have legal incorporation. The church differs from these in that she is organized, not by civil, but by

Divine authority. Her work, ordinances and administration are carried forward by the authority of Almighty God, through Jesus Christ her Head and King.

Furthermore, the word "church" may denote the assembly of spiritual rulers and pastors to whom is committed the administration of discipline. There is a three-fold use of the word "church": 1. External profession. 2. Internal Communion. 3. Ecclesiastical government.

The church, by the authority of her Divine Head, and by commission of her Divine King, enters States of the great Union, pitches her tent, gathers a people, conducts spiritual administration. She enters foreign States, whatever their government, and does the same. She does not beg a privilege: but panoplied in the armor of the Divine King and in His great Name, she goes everywhere in all the world. "The sanction of the civil power," says Lloyd in his 'Christian Politics'," has no necessary relation to the being of the church, as a society of men united to Christ and to each other by the Holy Spirit."[1] All Church power is of God," says the eminent theologian, Dr. Charles Hodge, "and all legitimate Church officers are His ministers. They act in His Name, and are His ministers. Resistance to them, therefore, is resistance to the ordinance of God."[2] If this be true, and it is, the doctrine of absolute independence of the Church, both of Divine right and that she may without let or hinderance, fulfil her mission, is emphasized.

1 "Christian Politics"—Lloyd.
2 Systematic Theology, Vol. III—Hodge

The sphere of the Church, also emphasizes her absolute independence. Her work is spiritual. It is not to clothe people; or to house them; to furnish recreation, or employment. These lie within the sphere of the state. The Church works along spiritual lines. *First*: *She is commissioned to teach.* Beyond the limits of revelation, however, she has no authority to go. *Second*: *She has the right and duty to conduct public worship, to administer the sacraments, to select and ordain her own officers, and whatsoever else is necessary for her own perpetuity and extension. Third*: *she exercises discipline over her own members.* This she does as a court, COMPETENT, CLOTHED WITH AUTHORITY, and ANSWERABLE TO NONE BUT GOD. *She is absolutely* INDEPENDENT *in all matters spiritual. The very purpose of her existence would be destroyed if brought under commandment, and a constraining power.* For the State to say, "receive", "cast out", "adimnister", is to destroy the very essence of the church's life. The church has not the sword; but she wields a mightier power—the power of conscience. The sword of the magistrates is not able to cope with this mightiest of all forces. Started into determination by the prospect of life, or by fear of death, by the conviction of duty, it leads men to pass through fire and lay all upon the altar. Awakened, the very hand that was uplifted drops the descending blade and embraces the hated one as a brother. If the church becomes corrupt, she loses this awakened conscience and does not scruple to reach for the sword. Then she may, nominally through the mag-

istrate, but really through her own wickedness, become the fiercest of all institutions clothed with authority.

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WHAT THEN OF THE CHURCH

I: She is not a human association, but a Divine Institution.

II: She is competent to fix the limits of her jurisdiction.

III: Her power is not civil, but spiritual, and operates through conscience.

IV: Her sphere and purposes require that she be independent.

●

THE STATE

Gladstone said: "The state, next to the church, exhibits the grandest of all combinations of all human things." There are different views as to the origin of this institution. The "Social Compact", and the "Covenant", or "Agreement" theories of Locke and Hobbes respectively, are regarded by Mulford — a high authority — as practically one. The "Social Compact" assumes pre-social conditions, in which man is described as in a state of nature with each inividual absolutely independ-

ent. This contradicts the postulate of Aristotle that " man is by nature a political being". Those of this view hold that man was possessed of certain rights and which he might, or might not, voluntarily surrender. These were, by agreement, at the setting up of government, formally surrendered. There is no historical evidence to this effect. It is assumed.

Dr. Verge, one of the most learned political philosophers in France, thus defines the State: "The word State signifies the community of laws or of government, and in this acceptation a State is a veritable moral person."[1] "States are moral persons having a free and intelligent nature, and possessing, on account of that nature, fundamental and inviolable rights."[2] The State is a society, free and independent, . . . representing in relation to other States, a moral person enjoying natural liberty."[3] States, or bodies politic, are to be considered as moral persons, having a public will, capable and free to do right and wrong, inasmuch as they are collections of individuals, each of whom carries with him into the service of the community the same binding law of morality and religion which ought to control his conduct in private life.[4] This weighty authority whom Charles Sumner describes as "the unquestioned head of American jurisprudence", affirms the morai personality of the State. "A nation is an independent body politic; a society of men united together for the pur-

1 "Martin's Summary of the Law of the Modern Nations of Europe."
2 Leferriere.
3 Kluber.
4 Kent: "Commentaries on American Law."

pose of promoting their mutual safety and advantage by their joint efforts and combined strength. Such a nation becomes a moral person, and is susceptible of obligations and rights."[1] "Commercial companies, which have played an important part in the Colonial politics of the last three centures, are essentially different from nations. . . . They never become moral persons of International Law."[2]

Spinoza was in error when he maintained that every man possesses the natural right of living without relations to either government or religion. This may be attempted in the matter of religion, though it is doubtful if he can get beyond the influence of some form of religion: but it is not true of man's relation to the state, excepting you go beyond the reach of national domain — which is impossible.

The views advanced by Locke, Hobbes, and the school of political philosophers which they represent, fail to account for AUHORITY. That AUTHORITY has its origin in the individual, is delegated and surrendered, is insfficient. The reasoning of Mulford is preferred when he says: "The Association of individuals, however wide, has not the majesty of law: the concession of private rights however extended, is not the institution of public rights. The contract, if it were allowed, would be obligatory only upon those who deliberately and voluntarily entered as parties into it, and unless renewed, it would expire with them." Conscienc rejects the notion that there

1 Institutes of American Law"—Bouvier.
2 "International Law of Europe"—Heffter.

is a connection between sociality and authority. "I am a nomial being: therefore I have a right to rule my fellows: or, therefore, some one has right to command me", is not sound logic. The views of Dr. Andrews, late President of Mariettea College, as expressed in his "Manual of the Constitution", are clear and forceful on this point: "But it is not correct to say that civil society derives its authority through any such compact, for then the power possessed by society would be limited to that received from the individual men composing the society. But the powers of government include these which never belonged to the individual man, and therefore could never have been conferred by him on society. Indeed, if there ever was a state of nature, as some have supposed, prior to the existance of civil society, when man lived without government, all possessing equal rights, there could have been no right to govern, since no one could have authority over another who was his equal. Men cannot give that which they do not possess, and society could never receive its right to govern from the individual citizens, since they never had such rights."[1] And it may also be observed that any other view would seem to include the right of secession down to the last township and individual.

A number of authorities have been cited to establish the proposition that the state is of Divine origin, and receives its authority from the God who gave it being.

1 "Manual of the Constitution"—Andrews.

THIS THE STATE SHOULD HUMBLY AND REVERENTLY ACKNOWLEDGE IN ITS SUPREME LAW,—THE CONSTITUTION.

If the view of Locke, of Hobbes, of Warburton, and others, as to the origin of the State, be accepted, *THE SUPREMACY OF THE CHURCH WOULD, AT LEAST, BE A DEBATABLE QUESTION*: the assumption being that the Divine institution, the CHURCH, should take authoritative precedence over a human, social organization. But on the assumption that the State is of God, and is clothed, by God, with independent authority, the philosophy which makes it subordinate can be called in question.

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THE SPHERE AND PURPOSE OF THE STATE

If it be conceded that the state is a Divine institution, the question arises—to what end? What are its purposes?

A number of general principles, described as ends, are laid down here by writers on political philosophy, and they generally agree. They are well expressed in the Preamble to the Constitution—"To establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty." These were the express ends which the people of the United States sought to secure.

But there are those who have disposition to do wrong, recognizing only the right of might. President Andrews states: "Civil government is a necessity. Without it justice could not be established, or domestic tranquility be secured. Law is the guardian of liberty. Without law there would be no liberty, but in its stead—anarchy." The Scriptures declare that the magistrate "is a terror" "to execute wrath upon him that doeth evil."[1] The powers of the state must therefore be superior to any other power that may interfere with the administration of righteous law.

A noticable and distinguishing difference between the Church and the State is—the Church has spiritual penalties only, while the "magistrate beareth the sword." He is not only clothed with authority, but is girded with a "sword" to execute. This carries with it the assumption that the state holds in its hands the power of life and death. But such power cannot come from man. It must come from God, and the State should declare that such law rests on the authority and law of Almighty God.

1 Romans 13.

THE STATE HOLDS TITLE TO LANDS IN THE NATIONAL DOMAIN.

It can take private property for public use. It can cast into prison. It can draft into the army. The magistrate enforces authority. This is not seen in the Church. She is not an institution to wage war; or administer physical penalties. But the State has to do with evil doers of every grade and description; and must be equipped to protect life, liberty, and the pursuit of happiness.

But while the repression of wrong is no unimportant part of the work of civil government, there are higher ends to be secured. These are, in the Constitution of the United States, included in the words, "promote the general welfare." The "general welfare" is promoted when the State lays out, and supervises highways; devises and executes a system of education; maintains the Christian religion, etc. (It will be noted that in many States, (at one time probably in all the States), the Bible is read in the public schools and by law. In Congress a chaplain is appointed who opens the day's deliberations with prayer. Chaplains are appointed by law to the army and navy. Thus the state establishes religious exercises by law. The President, and his example is followed by Governors of States, appoints a yearly Thanksgiving, and, occasionally, a Fast Day. It is furthermore, in violation of law to utter blasphemy. An interesting question is therefore raised, how far should a State go in matters religious? May it include

within its jurisdiction the preaching of the Gospel to all subjects as well as to those in the army and navy, or to those it has been necessary to imprison? If the State enters upon the domain of the Church, and it does in cases cited, where shall it cease? Shall the State establish a form of religion, uttering a Declaration of Faith, and provide for the stated worship of God?

Alvah Hovey, D. D., once President of Newton Theological Institute, in his book—"Religion and the State," gives a statement of the legitimate ends of Civil Government. He names three views—The Roman, the Paternal, the Protective. According to the first, the state may be called its own end. The people are regarded as springing from the state, belonging to the state, and invested with all their rights by the state. According to the second, the state stands as it were in *loco parentis,* "regarding the people as children and minors to be controlled, educated, protected, and, if need be, supported." This view is generally acceptable to monarchs, and to aristocracy. It supposes rulers distinguished for wisdom and goodness, of large and lofty virtue. According to the third, the Protective theory, the chief end of the state is to guard "the natural rights of the people, to render life, liberty and propetry secure. It looks upon the people as men and accords to them rights and duties which cannot be transferred to their rulers. It assumes that a true and full manhood can only be developed by selfcontrol, selfculture, and the solemn discipline of grave personal responsibility: and therefore it leaves many

important interests to the care and to the enterprise of good men, acting freely as conscience or benevolence may dictate. Above all, it shrinks from invading the rights of the individual soul to determine and fulfill, without the bias of state solicitation or constraint, its own duty to God. It admits that the sphere of religion transcends its control, and therefore restricts itself to the humbler task of protecting men in the exercise of their natural rights."[1]

For many ages, paganism has controlled the large proportion of the race, and pagan religions are, and have been, always, state-religions. At Rome no new god could be introduced but by decree of the Senate. The most distinguished of heathen philosophers, Socrates, was put to death on charge of corrupting the youth by blasphemous doctrines concerning the gods. Religion and worship were so fully incorporated into the civil polity, and so permeated society, that one declared that it was easier to find a god than a man, in Athens. The gods must be pleased everywhere, and at all times, in private and by official acts, obeyed, propitiated, and always recognized as presiding over and directing public events. In the Jewish nation Church and State were pratically identical. Hodge, in his Theology, Vol. III, pp. 552-3, says.—"Under the old economy the Church and State were identical. No man could be a member of the one without being a member of the other. In the pure throcracy the High Priest was the head of the State as well as head

1 "Religion of the State"—Hovey.

of the Church. The priests and Levites were civil as well as religious officers."

From this brief survey it will be observed that, at the opening of the Christian Era, there were practically no precedents as to the relation which the church should sustain to the state. Yet her mission is so broad and far reaching, her internal development and power of such character: her interests so vital, that, while the right solution may be delayed, its final determination and on sound religio-political philosophy, is inevitable. During the nineteen centuries of the Christian Era, rarely have the rights of these two great and equally divine institutions been recognized by each other. Usually one was in the ascendant with the other in corresponding subjection.

Furthermore it will be observed that both Church and State have to do with the same subject. A man is a citizen of the State, and a member of the Church—and in both relations at one and the same time. Realizing the power of the Church, the State has sought to overcome her mighty influence by subjecting her to State control. The Church, in turn, forgetful of her high calling, has sought her glorification and ascendency in the subjection of the State to her authority. Some of the most memorable scenes in the history of Europe are illustrations of the conflict between the civil and ecclesiastical power: such as Emporer Henry standing in the snow, awaiting absolution; Becket murdered on the floor of his cathedral; John surrendering his crown into the hands of a Papal legate. Perhaps no one cause

has spilled so much blood, and to the utter demoralization of both Church and State, as these two mighty institutions battling for supremacy. The roar of the contending forces, the "thunder of the captains and the shouting," have been heard all down the ages. These destructive relations and principles will be set forth in the following chapters, together with the search after right principles of relationship between these two great institutions.

●

THE STATE MAY OUTLAW THE CHURCH

Perhaps at no time during the Christian Era has the Church appeared so luminously grand and resplendently glorious, as during the first, second, and third centuries. She was like a pillar of fire upon the black clouds of an angry heathenism. Two things are evident. First: Her organization, though simple, gave her mighty cohesive power, and called into play reserved strength. Second: She was self-sustaining, and under most disheartening circumstances. There was no civil power to which she could appeal. There was no public treasury from which she could draw sustenance. She illustrated a great truth for the generations following that the Church does NOT depend upon the State's money, or the State's power. The grandest victories she ever won, and may it not be said, will ever win, were achieved when she

stood alone, dependent wholly on God and on her own resources. With such incontrovertible illustration, it cannot be established that a union between Church and State is a necessity. Who will believe that if the Church, in this mighty struggle, had been in union with the State she would have more quickly caused Christianity to be proclaimed the religion of that great Roman empire by Constantie, 312, A. D.?

To be more specific, The state may out-law the church and forbid exercise of her ordinances. The political philosophy which prevailed at the opening of the Christian Era was—

THE STATE COULD NO MORE TOLERATE A RELIGION OTHER THAN THAT OWNED, RECOGNIZED AND ESTABLISHED BY CIVIL AUTHORITY THAN IT COULD TOLERATE THE SETTING UP OF ANOTHER INDEPENDENT CIVIL AUTHORITY WITHIN THE NATIONAL DOMAIN.

This was the political philosophy of the time, and nations rigidly applied it. "Down to the end of the seventeenth century the prevailing sentiment among Protestants as well as Roman Catholics condemned toleration as a compromise with error, and as a dangerous heresy. Calvin, the severest, and Melcuchthan, the mildest, among the Reformers, fully agreed in their view of the justice of the sentence which condemned Servetus to death in Protestant Geneva." (Scaff). (That Calvin sanctioned has not been satisfactorily proved). The religion of the Roman

Empire, and it was with this Empire that the Church had to deal, was a self-multiplying and a multifariously developed Paganism. "Stress was laid," says Geffcken, "on the condition that the new mode of worship should not injure the old, since the introduction of new cults, no less than the adoption of foreign customs, easily weakened the bonds which preserved the unity of the State. Hence the admission of foreign gods remained exclusively with the State." "Throughout antiquity, religion and nationality are always associated together; the *jus sacrum* is part of the *jus publicum.*" "The knowledge and preservation of divine law was entrusted to a priestly brotherhood consisting of four pontiffs and a *Pontifex Maximus,* who took care that no Roman should serve foreign gods, that the gods should be given their due, that nothing of importance should be undertaken by the State without previously ascertaining their will, and then only on days pleasing to them, etc." Did popery follow this heathen example? The gods were therefore honored and worshipped with intense and painstaking devotion. No sacrifice was too great to please them; no torture of flesh too awful to satisfy their demands. Such was the religion of the Roman Empire. It had grown through centuries into fixed characters, stateliness, and gorgeous splendor, with temples justly famed. To touch such system was more than treason; it was treason to the State and, in addition, disrespect to the gods. The deep-grounding, the working into the life-blood, of the principle of respect to the gods is

sufficiently attested by the fact that, a few centuries before, the most noted sage and justly famed philosopher, Socrates, was put to death on the ground that he was corrupting the youth by teaching disrespect to the gods.

Such religio-political philosophy prevailing, it is not remarkable that when the light of the Church flared up in a distant province, began to move about in the darknesss of the empire, and to leave a trail of burning fire wherever it went, that it should be looked at at first with the gaze of astonishment, then of opposition, then with the glare of fiercest hostility and determination to destroy. This, again, was intensified into burning fury by the nature of the Gospel, its active opposition to the unbridled wickedness, its positive assertion of the profane and sacriligious nature of idolatrous worship, and the positive doctrine of the sacrificial blood of Jesus Christ. The rapid spread of the new religion was a further cause of exasperation. Pliny reported to Trajan that the 'superstition has penetrated all ranks and ages. Not only the cities, but the villages are infected with it. The temples are almost deserted; the sacred rites are interrupted; no sacred victims are any longer purchased', Furthermore, the very organization of the Church tended to create suspicion. She could be, though unjustly, construed as *imperium in imperio.*

The philosophy of such persecuting spirit appears to be, not in the fact that a new religion appeared on the horizon, but because said religion CONTROLED CONDUCT by refusal to comply

with existing religious institutions. Votaries of other systems could seek to have their gods acknowledged by the State. They had no conscientious scruples against performing the rites of Pagan worship established by law. They could burn incense upon the altar before the statue of the Emperor with as much zest as if it were all of their religious devotions. But just here the Christian entered his positive refusal. He uttered a respectful, but emphatic, NO! This was construed as treason against the state, as an attempt upon its life. He was to be destroyed as an enemy. In times of some public calamity, as reverses in war, in floods, pestilence, the heathen priests excited the people against the Christians, who were represented as having angered the gods. And the depraved populace, used to bloodly spectacles of men and beasts in the arena, and thirsting for more, would cry, "THE CHRISTAINS TO THE LIONS"!! (See Ulhorn.) In vain did the Christian soldiers display the loftiest courage and valor in the service of the Emperor. To refuse to sacrifice in his honor was sufficient to condemn to the mines, to exile, to death. Political philosophy of the time held that this new religion taught treasonable rebellion and must be put down. It had in it something altogether foreign to other religions. It would not take its place among the "gods many" in the Pantheon; but insisted that they should be removed, and their worship cease. This was regarded as treason against the State.

It is not germane to this discussion to follow further the struggle through a period during

which the State OUTLAWED THE CHURCH; or to set forth the steps of progress by and through which Christianity displaced Paganism as the religion of the Roman State. One more illustration will suffice. Emperor Julian, a professed Christian, turned apostate and raised an army to destroy the Church. He was defeated. An arrow pierced his breast, tearing it out and flinging it at the heavens, cried—

THE NAZARENE HAS CONQUERED!

One or two fundamental principles may, however, be stated. *First: to outlaw the Church causes the State to destroy liberty of choice, and to legislate for the soul.* For the state to enter into a man's most sacred experiences, determine what these shall be, and enforce such determination by the sword, or by political disability, is not only a great wrong to the subject; it is unsound and destructive political philosophy. No State can be reared on such principle, or finally succeed by such policy. Rome Pagan, as many later nations, was seeking to establish a false political philosophy. She failed, conquered by the enemy she sought to destroy, and because, among other reasons, of the weakness of wrong and the power of right. An immortal soul is answerable to God, not to the State. The State may restrain acts detrimental to the principles of true political philosophy, but not the most sacred experiences of man's nature. This principle of ruling man's religious belief and con-

duct by force, was held down through the ages, sometimes not less by the Church than by the State; and in this matter the Church showed less mercy than the State.

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THE STATE HAS NO RIGHT TO ASSUME THE RESPONSIBILITY OF MAN'S RELATION TO GOD,

or *determine the means by which God shall be propitiated.* These are too serious and far-reaching matters. *Civil power may not throw its authority over man's immortal life, to determine his destiny.* For the state to determine by civil enactment grounds and conditions on which God shall be approached, and propritiated is to reduce man to slavery, whose bounderies reach out to the life which is to come. It is said with emphasis, no State has right to enter this sacred realm. To outlaw the Church is a most despotic assumption of authority, as wrong in philosophy as it is in morals.

The political philosophy that the state can outlaw the church has been rejected by every Christian nation. Hitlerism attempts to reverse the principle. Russia is trying to root out the Name of God. But the world will not turn back.

But more remarkable still. *Every non-Christian State of sufficient dignity has engaged by*

solemn treaty stipulations TO PROTECT THE *MISSIONARY AND GUARD HIS WORK.* This is, in short, protecting the Church of God by LAW. True, the gentle, suave disposition manifested by some non-Christian States is not due to good will, *so much as, LAW,* which, in the concatenation of providences, they cannot abrogate or set aside. One illustration will suffice. Put the question to the most fanatical, the most despotic ruler—"What is the status of foreign missionaries in your dominions?" He answers: "What foreign missionaries? Those who are preaching and teaching their Jesus? They ought to be pulled in pieces by wild horses!" But your soldiers guard missionary and property." "Yes: We are forced by treaty to protect them. Were it not for these treaties they would be dead before night!"

Non-Christian states, though they may hate the Church, are, in so far as such treaties have been made, held sacredly bound to protect the minister of the Gospel, the house he builds, the congregation he gathers. They *PROTECT THE CHURCH.* Thus the Church is (was) protected in China, in Japan, in Persia, in Turkey; in the States, Protectorates and important kingdoms in Africa; and indeed, everywhere. THIS IS THE POINT REACHED IN THE DEVELOPMENT OF A SOUND POLITICAL PHILOSOPHY IN CHRISTIAN AND ENLIGHTENED LANDS; and the inter-communication of nations, and their commercial relations have perforce spread these wise principles through treaties until a return of old conditions would

appear to be impossible. The Church is practically everywhere protected by treaty-rights. Nations are bound by the most solemn international obligations. True, mob-law will now and then break out. But mob-law now and then breaks out in the United States—the land of high Christian civilization. The treaties are fairly well lived up to. Any infringement causes black smoke to come up out of the sea, and, lo, a man-o-war cleared for action!

The political development of the world has reached a point where never again, except it be for a moment, CAN THE STATE PRESUME TO OUTLAW THE CHURCH.

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THE CHURCH MAY CONTROL THE STATE

This is a second possible relation which may exist between these two great and equally divine institutions, viz: *The Church May Control the State.* Before the Christian Era, civil institutions were largely, if not wholly, under religious control. If the ruler did not pose as a god, and receive divine honors and homage, he at least was a fanatical worshipper. This is seen in full operation in the conduct of Nebuchadnezzer when he made an image of gold whose heighth was threescore cubits, and the breadth thereof six cubits.

He set it up in the plains of Dura, in the Province of Babylon, and prepared the burning firy furnace for those who would not bow and worship.

This illustration, resting on scriptural authority, exhibits affairs before the Christian Era. The rulers claimed to rule by the authority of the gods. They led their people in idolatrous rites. Israel built temples to Baal, and the nation was repeatedly led into idolatry by the king's commandment.

The philosophy of the supremacy of religion, its precedence in all affairs and institutions of state, and the practical application of these principles for two or three thousand years, produced fixed conditions in the Roman, as previously in the Grecian, Empire as to the high and controlling place which religion held in the affairs of state. Religion was the voice of *the gods! and must be obeyed!*

At the introduction of Christianity, these principles of political philosophy were held, no less by Christian leaders, than by non-Christian rulers. The point of divergence was, *What religion?* And as the Church became master of the mightiest empire in the world, she straightway applied the political philosophy of the time—

THE SUPREMACY OF THE CHURCH: SHE RULED THE STATE

For three centuries the Church had been pratically outlawed. When her religion prevailed, and was by the Emperor Constantine, A. D. 312, declared to be the religion of the empire, the past ideas of the dominating character of religion in the State and among the people were still held—only the religion was changed. This led the Church to seek ascendency: to infiuence the State; to bring the State under control. She succeeded. The Middle Ages are bristling with illustrations going to show that the Church controlled the movements of the State, the power of the sovereign being wielded by ecclesiastics.

The philosophy of the supremacy of the Church is thus stated by Archbishop Maning, in his "Caesarism and Ultramontanism," (1874) ,an acknowledged authority: "If, then, the civil power be not competent to decide the limits of the spiritual power, and if the spiritual power can define, with a divine certainty, its own limits, it is evidently supreme. Or, in other words, the spiritual power knows with divine certainty, the limits of its own jurisdiction; and it knows, therefore, the limits and competence of civil power. It is thereby, in matters of religion and conscience, supreme. I do not see how this can be denied without denying Christianity. And if this be so, this is the doctrine of the Bull *Unam Sanctum*, and of the syllabus, and of the Vatican Council.

It is in fact, Ultramontanism, for this term means neither less nor more. The Church is, therefore, separate and supreme."[1]

This frank statement by this high authority should be appreciated. He does not shrink from the conclusions to which his religio-political philosophy leads him. His propositions appear to be: 1*st—The State is not clothed with authority to decide in spiritual matters.* 2*nd—The Church is clothed with authority to decide with divine certainty.* 3*rd—The Church is therefore supreme* 4*th—The Church knowing and defining with divine certainty the limits of her jurisdiction, thereby DEFINES THE LIMIT OF CIVIL POWER.* 5*th—In matters spiritual and of conscience, the Church,* not the individual, *is the power which determines with divine certainty.* 6*th—The Church, being supreme, holds the civil power under her commandment, to do her bidding in all matters religious and spiritual and of conscience.*

Such principles are far-reaching, and set forth the absolute control of the Church over the State, and over the individual conscience. The organization of the State was not destroyed, but was held to be subordinate and dependent. *THE STATE WAS,* according to this philosophy, *A PROVINCE OF THE CHURCH, A POWER WHICH SHE COULD CALL TO HER SUPPORT, AND COULD CHARGE WITH THE EXECUTION OF HER DECREES.* It was further held that as the Church was supreme in matters of conscience, her ordinances, ceremonies, and laws were

1 "Caesarism and Ultramontamism"—Manning.

to be duly respected and observed by the individual; and representing the church's Divine Head, the individual had no more right to disobey the Church than disobey God Himself.

It will be in place here to cite a few authorities to show that the doctrine of Church-absolutism prevailed as the accepted belief for well nigh a thousand years, and was the foundation on which rested the "Holy Roman Empire." "The extreme papalistic opinion," says Miller, "by which people still held after Belarmine that the Pope ought to be the head of the state in which he lives—reduces the state to a province of the Church. When, in the first half of this century, the Pope was Head of the 'Dominions of the Church,' both the territory round Rome and in the legations: when a Cardinal was chief minister, and other Cardinals occupied the rest of the leading posts of the government—a spectacle was evidently presented of the Church so swallowing up the state as that the latter was only a department of the monopolizing polity."[1]

One of the saddest confessions of bigotry is in Burkis Answer to Mr. Froude. On page 33, after quoting the divine sentence, "Depart from me ye cursed, into everlasting fire," he adds: "That is the fate of all outside the Catholic Church. I tell them that until they step on board of Peter's boat (his own Church) they have no security; NO true light; NO true religion; and that they must go down." This shows a man warpped and embittered by intolerance, "The

1 Miller.

Emporer," says Chrysostem, "governs the body, the priest governs the mind; therefore the Emperor must bow his head under the hand of the priest." Augustine, in his "City of God," says: "Christians are to obey the State, but only so long as the latter remains within its proper sphere, and abstains from hindering the true religion: the heathen State which oversteps these limits, is a *civitas diaboli.* The State must understand that singly and unassisted, it cannot generate alone, since justice can only exist with the true worship of God. It must therefore devote its instruments of power to the Church. *The State does not receive its true mission and consecration until it has submitted its allegiance to the Church.—Whenever it refuses to obey her in spiritual matters, it accomplishes its own destruction and as to what are spiritual matters, the Church alone can decide."* [1] Augustine admitted that no one should be forced to become a Christian; but he deemed compulsion to be salutary because 'it brings back fanatics to their senses and awakes the indolent and apathetic'. 'Complusion in itself he deemed not objectionable, everything depending upon the direction and object. Many persons are afterwards grateful when they have been compelled to do what was good.' Augustine therefore held, in modified form, that the Church had authority over the State.

Calvin, in conjuction with Farel, compiled a Confession of Faith of twenty-one Articles. This Confession, together with a scheme of Ecclesias-

1 "City of God"—Augustine.

tical Polity, was adopted by the Council of Two Hundred, and afterwards by the assembled citizens. The civil power is charged to take care of the external government and welfare of the kingdom of God, but it must submit to the institutions of the Church; so that, in reality, the State was to execute what the Church had sanctioned and determined. Calvin denied to the Church the right to employ secular means of punishment or coersion. It appears, however, that the Genevan State employed them, on the theory that the State should not tolerate false doctrines. "Catholics," says Geffcken, "were expelled, and heretics were punished like criminals. Andabaptists were flogged; persons suspected of heresy were tortured, if they refused to confess, Three men who had laughed during the sermon were imprisioned." [1] But Calvin denied that the state had right to do these things.

Running through these quotations, the SUPREMACY OF THE CHURCH over the State and all institutions is clearly observed. The view agreed with the political philosophy of the times, and, indeed, with all past history. No other relation than the controlling power of religion in the State was, with any degree of determination, discussed, if the question was raised at all. It was the philosophy of the times. The Church not only held this philosophy, but sought to apply it. In this she was not uniformly successful. Efforts to be free from ecclesiasticism were the first manifestations of the principles of CIVIL

1 Geffcken, Vol. I., Page 33 (Geffcken may not fully have comprehended Calvinis position).

LIBERTY. *But the Church made mighty efforts to retain her supremacy.* The Bishop of Cordova, who presided at the Council of Nicacea, wrote to this effect to Constantine; "Intrude not yourself into ecclesiastical matters; neither give commands unto us concerning them; but learn them from us. God hath put into your hand the kingdom; to us hath He entrusted the affairs of His Church. and he who would steal the empire from you would resist the ordinance of God, so likewise fear on your part, lest by taking on you the government of the Church, you become guilty of a great offense." But the Emperor fought for the mastery, and the history of a thousand years is the history of contention between these two institutions—the church and the state, each striving for mastery, and each determined in its purpose.

The path, thus far, appears to be clear. All through ancient time religion and the State were practically one. The Ruler was head of the one as he was head of the other. At the coming in of the Christian Era, the Church appears upon the scene, and *as a distinct organization*, with ceremonies and laws altogether at varience with a heathen State and institutions. Once she gained the ascendency, the question of the relation of the ORGANIZED Church to the State had to be answered. She fought for the supremacy, and with results disasterous to her spiritual life; but with some advantage to the deveyopment of institutions, as shall presently be set forth.

There was a powerful impulse to the development of responsibility in the very relation which

the Church sustained to the State. She felt it her duty to influence the reigning Monarch to the largest degree. And finally she sought to procure from him "edicts condemning heretics to exile. deportation to the mines, and even to death." Then to free herself from responsibility of blood, she would shield herself under the theory that this work was done by the State. Here is a wrong philosophy; and as disasterous in its application to the Church as it is to the State. *The leaders of thought FAILED WHOLLY TO DIFFERENTIATE INDIVIDUAL RESPONSIBILIY; but made the Church answerable for the individual.* SUCH PHILOSOPHY MUST INEVITABLY LEAD TO *COERCION!* and upon persistent refusal TO EXILE AND DEATH. Nor is it remarkable that the Church, which deals with the finer spiritual nature, should seek an avenue of escape from actual participation in the shedding of blood by having this part of the work done by the civil power. Usage forbade any ecclesiastic from being present in the torture chamber; or from being concerned in judgements involving death or mutilation. "Had this shrinkage from participation in the infliction of human suffering," says Lee, "been genuine, it would have been worthy of all respect; but it was merely a device to avoid responsibility for its own acts. In persecution for heresey (which was regarded as the greates of crimes), the ecclesiastical tribunal passed no judgment of blood. It merely found the defendent to be a heretic, and relinquished him to the secular authorities with the hypocritical adjuration to be merciful to him, to

spare his life, and not to spill his blood. What was the real import of this plea for mercy is easily seen from the theory of the Church as to the duty of the temporal power, when inquisitors enforced as a legal rule that the mere belief that persecution for conscience sake was sinful was in itself heresy to be visited with the full penalty of that unpardonable crime."[1] Once the Church gained the ascendency in the State, such extreme positions must be maintained to enforce her authority.

That any should believe that ORDINATION—(Episcopacy)—comes down through such wicked institutions is a marvel. Ordination came down through scattered, organized remnants; and the Waldenses who were desperately persecuted for hundreds of years.

The great power which the Church exercised during the Middle Ages, while based upon a philosophy purporting to have its principles in the Scriptures, was also a growth, with ever extending roots and broadening sphere of operation. By the Edict of Milan, 313 A. D., the Church was granted the privilege of exercising upon her own territory supreme jurisdiction. It was to her interests, therefore, to increase her estates, which she accordingly proceeded to do. Charitable persons whose zeal for repentance the clergy well understood how to turn to profitable account, were carefully cultured. Legacy-hunting was a part of their business. Forgery of charters was not to be despised as a means. By the end of the Seventh century, it is computed that the Church

1 "Inquisition"—Lee.

owned one-third of the entire landed property in Gaul; and the same was true elsewhere. This gave the Church enormous wealth. The bishops were the wealthiest men in their districts, and absolute lords within the limits of their vast territory. Here was practically a State within a State. Furthermore, the bishops were not held responsible by the civil power, and could be judged only by ecclesiastical tribunals. This gave the Church great power and made her all but independent. Then, again, her servants were put in office and in all available position of public trust. She practically filled the land. *THAT THE STATE SHOULD SUCCUMB TO HER DOMINATING INFLUENCE IS NOT REMARKABLE.* Her great difficulty, one which continually harrassed, and which she could not remove, was the many State with which she had to do. Active opposition was somewhere always manifest. But for a thousand years, the Church practically enforced the philosophy of Church-Supremacy; exhibiting marvelous skill in balancing opposing forces each against the other, drawing to herself the advantages of victory.

THE STATE A RUDE DESPOTISM

In these long ages, during which the Church Controlled the State, it is worthy of notice that civil government was not highly developed. Its power was virtually lodged in one man, and the subject knew nought but to obey. The ends and purposes of the State were practically unknow. The ruler's conception was that the people were created for him and were therefore for purpose of selfish gratification. A State which rests on false principles, however great its multitudes of people and extended its dominions, is weak and is liable to fall before a well organized power. WHERE CHURCH-SUPREMACY PREVAILS AT THE PRESENT DAY, THERE THE STATE IS SEEN TO BE WEAK. In South America, where States have not liberated themselves from Church control, the civil power is not highly developed and lacks independence of spirit. The disposition and deportment of a subordinate are clearly seen. As people grow more and more superstitious, they will reverence the forms of religion, and those who, as priests, are believed to be *en raporte* with the spirits of the unseen world. This characteristic was not forgotten by religious functionaries in the Middle and later ages. It was used to keep the State under control.

MONASTIC ORDERS

During this period of the Church's supremacy and control over the State, the great monastic orders took their rise. These were brotherhoods full of devotion to the Papacy, entirely subject to the direction of Rome, ready to appear everywhere as delegates of the Pope and of the Curia. These orders stood out in contrast with the general and prevailing ignorance of the times. There was but little education among the masses. The multitudes were therefore the more easily lead, directed and controlled. The people looked up to the monasteries, and stood in awe at the supposed great wisdom, knowledge and power of the monks Church schools were the sole avenues to knowledge in literature and science. Thus the Church maintained her supremacy by keeping the people in darkness. "Ignorance is the mother of devotion." There was but little Literature, either Literary or Scientific, during the Dark Ages: and what little there was could not be used by the common people who had no schooling unitil the Revival of Learning at the coming in of the Reformation. Printing opened the way. Learning and Literature developed together.

The crusades served also to enhance the power of the papacy. The knights who had been foremost in the crusades, now found honor in the service of the Church against the infidel. The ecclesiastical orders of chivalry, the Knights of of St. John, The Templars, the Teutonic Order, the Brethren of the Sword, received their charters and authority from the popes, who thus exercised, with respect to these warriors, a right of investiture, that of the sword with the cross. The military orders regarded themselves as subject to Rome. Thus the Church had resources with which to maintain her supremacy. She had her hand—*First*: *Upon the treasuries of the various States. Second*: *She controlled schools and the dissemination of knowledge*: *highly educating her priesthood, but keeping the people in ignorance. Third*: *She had her many orders of monks to work secretly and to further the interests of the heirarchy. Fourth*: *Civil offices were filled with her votaries. Fifth*: *She had her bands of trained warriors, sworn to fidelity. Sixth*: *She sold indulgences.*

Thus viewed, it is not remarkable that the Church, which the late Dr. McCosh defined as a religio-political association, maintained the conflict for supremacy for a thousand years. She crowned and uncrowned kings. She commanded and they obeyed. She was domineering; overbearing; arrogant; demanding absolute and unconditional submission. If resisted, she drew the sword, and fought for the mastery. Her phil-

osophy, according to Archbishop Manning, was THE CHURCH IS INDEPENTENT AND SUPREME—THE STATE IS A PROVINCE IN HER UNIVERSAL DOMINION. *This philosophy she sought, with mighty determination, to apply.*

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ADVANTAGES OF CHURCH CONTROL

A wrong political philosophy may, in some phases of its application, produce good results. This is true of Church absolutism. It had, despite the wrong to the State, its advantages. The geographical boundaries of the Church, up to and during the Dark Ages, were not, after all, greatly extended. But she sought to widen her territory by conquest among barbarous tribes and heathen kingdoms. In these conquests, the Church had the support of the State, and indeed could command the State to conquer, while she, under protection, planted the services of church worship. Thus, superstitions with their bloody rites were destroyed. Not infrequently were human sacrifices offered, as by the Norsemen up to the tenth century. The destruction of these barbarous practices was a great gain. The butchering of the wives of a dead chief; burying slaves alive; cooking human flesh for feasts; were some of the inhuman deeds of blood which were summarily stopped, once the civil power, controlled by the Church made conquest.

GOOD AND BENEVOLENT INSTITUTIONS WERE INTRODUCED

The Church forced the barbarians to adopt Christianity and observe its rites. Thus immediately, good and benevolent institutions were introduced. A form of civil government, somewhat in keeping with the conditions of the people, was set up, and under which they enjoyed many blessings. They were thus, BY FORCE, broken off from the old, and set-a-going under the new. Two or three illustrations will demonstrate these propositions:

The Viking pirates permanently invaded France in the latter half of the Ninth Century. Rollo, a powerful chieftain, led in this undertaking, and with him was associated other like adventures. They had been practically thrust out of their country by the consolidation of the government under Harold Harfraga. After a vain attempt on England, Rollo, with his fleet, sailed up the Seine. "He even reached Paris," says Professor Ellinwood, in his Lectures, "where he compelled the weak-minded French soverign to cede to him Neustria, (now Normandy), the King stipulating that he should ADOPT THE CHRISTIAN FAITH.—Rollo and his chieftains gave their chief attention to the arts of peace and THE CULTURE OF, AT LEAST, A NOMINAL CHRISTIANITY. THEY AT LENGTH MADE NORMANDY ONE OF THE MOST PROSPEROUS DISTRICTS OF FRANCE,—Two centuries later, a successor of Rollo, William the Conqueror, passed over to England and, at the battle of

Hastings, established that Norman dominion which is now represented by the nobility of the realm." [1]

"In the latter part of the tenth century, the Norwegian king, Olaf Fryggvason, was converted to Christianity while a hospital patient in a Celtic Monastary in the Scilly Islands; and he not only became very zealous in extending the faith in Norway, but in the year 1000 he sent two missionaries to Iceland. And by persuasion, AND PARTLY, perhaps, BY AUTHORITY, THE ICELANDERS BECAME CHRISTIANS." (Ellinwood). Thus Norse heathenism, including even human sacrifices, was displaced by Christianity. Who can deny, in view of the fact they have continued Christians, with an even purer form of Christianity, *that their condition was not improved?*

"The energy of the Swiss Reformer (Calvin) converted an undisciplined and disorderly multitude into that peculiar religious State, which, acting on inward conviction, erected the most inflexible system of morality into a code of civil law, and by straining to the utmost all the moral forces at its command, and profiting by the mutual jealousy of other powers, such as France, Spain, and Savoy, maintained its national independence as a warlike religious borderland on the confines of a hostile world equally apt for purposes of attack or of defense." [2]

1 Lectures by Professor Ellinwood.
2 Geffcken.

The same beneficent work is going on at this day in Africa. Missionaries come upon scenes of wickedness and blood, of burning and torturing and killing; of fattening slaves for food, etc., etc. Presently the king is converted. Immediately these barbarities are stopped. Right principles and laws are gradually introduced. The king as supreme ruler commands the cessation of the old, and introduction of the new. Yet, may be, there are but few converts to the new religion. It is adopted and its ordinances are observed simply through force of authority. Thus continuing for a time, sympathy is developed. Who can deny that the condition of such tribe is greatly improved?

Mohammedanism appeared in the Seventh century. It was a "holy war", so-called, against idolarty. It entered into battle with heathenism, and with effete Christianity. IT CONQUERED WITH THE SWORD, AND FORCIBLY PLANTED THE MOSLEM FAITH. Hundreds of thousands, whole stretches of territory, great nations, were brought under the sway and ordinances of this religion. If it be admitted that monotheism is better than idolatry, then so far as these conquests displaced idolatry by monotheism, there was an advance.

In his book on Alaska, Rev. Sheldon Jackson speaks of the introduction among the superstitious people of that country of new and better institutions, which were laid on the people in general by authority. "Rules have been laid down," says Mr. Jackson, "for the regulation of the new

community, TO WHICH ALL RESIDENTS OF THE NEW COMMUNITY ARE OBLIGED TO CONFORM. The use of spiritous liquors is strictly forbidden. ALL ARE REQUIRED TO KEEP THE SABBATH, ATTEND CHURCH, AND SEND THEIR CHILDREN TO SCHOOL. Industrious habits are diligently encouraged, and the people educated as farmers, blacksmiths, carpenters, merchants, etc. They live in well-built cottages and have a beautiful Gothic Church, capable of seating one thousand persons. They have a school building that will seat seven hundred pupils. All around the Bay are well-cultivated gardens and potato-patches. The population of 1000 is divided into ten companies, or wards, each having its Elder to look after its religious services, its leader in social gatherings, and one or two constables. The village has a brass-band of 24 pieces, a public reading-room, and a public guest-house, for the lodging of strange Indians." [2]

Here is a village of 1000 souls, found in heathenism. They would have continued in this condition, under the degrading influence of the Shamans. BUT THE CUHURCH REVOLUTIONIZED EVERYTHING, AND IN A SENSE BY FORCE. THE SABBATH MUST BE OBSERVED; DIVINE WORSHIP ATTENDED, children educated, useful arts learned. THAT THESE THINGS WERE DECIDEDLY TO THEIR ADVANTAGE AND COMFORT, IN THE DESTRUCTION OF THE OLD, IN THE INTRODUCTION OF THE NEW, NO ONE CAN DENY.

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2 "Alaska"—Sheldon Jackson.

But nearer home: A provision of the Charter of Virginia ended thus: "And lastly because the principal effect which we can desire or expect of this action, IS THE CONVERSION OR REDUCTION OF THE PEOPLE IN THOSE PARTS UNTO THE TRUE WORSHIP OF GOD AND CHRISTIAN RELIGION, ETC."[1] Here something of military provision was made to fortify the Church in her work of converting the Indians.

These illustration suffice to put beyond reasonable doubt that there are some advantages in Church domination; whether it be unalloyed Ultramontanism, or a more independent devlopment of National Churches. The philosophy of Church Control brings into prominence *spiritual forces*: *fortifies these by civil power*; *lays religious institutions upon the subjects as civil law*; and *enforces obedience.* These principles of procedure have a salutary effect in developing conduct according to religious regulations and institutions. "The Church claimed the right of jurisdiction not only in all purely spiritual matters, but even in such secular ones as were in any way connected with her interests. According to this demand, all disputes involving ecclesiastical relations of law—those relating to benefices, their establishment, alienation, or grant; parochial privileges and rights of patronage; Church property; titles; all questions concerning the fulfillment of vows; all matters incident to the nuptial contract (marriage being considered a sacra-

1 "Charters of the Old English Colonies in American"-Lucas, Page 18.

ment), came under the cognizance of the ecclesiastical judge. To these were added all civil litigation connected in a certain manner with religion; all complaints of the poor, of orphans, widows, and others; all disputes relating to wills—since the execution of testamentary dispositions was regarded as a duty of conscience;—all questions of personal trust such as alledged breaches of contract;—all civil disputes as occured collaterally with ecclesiastical questions."[1]

The Church also claimed the right to adjudicate all civil lawsuits whatsoever, in case the temporal judges refused or delayed justice. These cumulations of power were of slow growth. But once developed the Church had practically shorn civil government of *its* power. Thus in whatsoever State she ruled, and whatsoever States were conquered everything must square with ecclesiasticism. The vast territories to the North and West, swarming with barbarians; countries now as Holland, Belgium, Prussia, Denmark, Norway. Sweden, France, Spain, England, and countries South of the Mediterranean, were "Christianized" largely by the State under the directing influence of the Church. The Church was set up as an outward, visible organization, and the heathen were required to adopt her, and conform to her regulations. Indeed, it was next to impossible to withstand this method of mission work. It converted nations in a day. Of it Miller says: "The people became Christians and were baptized, either as they were severally convinced, or, as was perhaps

1 Geffcken.

more commom, following the lead of their sovereigns. Such was the well-known conversion of the Jutes of Kent. Ethelbert came to Holy Baptism after Augustine's arrival: and though with the uniform generality of his race, he compelled no one to become Christian, yet his example and encouragement so far influenced his people that on the following Christmas Day, no less than ten thousand, in that small kingdom were received into the Church."[1]

Once more, and not least in importance: *Church Control produced conditions which evolved, finally, the Christian State, fit for self-government.* Forcible baptism does surround barbarous peoples with Christian influences; establishes good institutions; secures the regular admintration of ordinances; brings the community under law and order. But while the Church coercing the State, may, by and through that civil power, eradicate idolatry with its bloody rites, and establish law with its benevolent institutions, yet there is but a certain level to which a community can be raised. The Jordan can be reached, but not crossed over to the land of enlightened statemanship. There is upward tendency to a certain point, then the applied forces seem powerless to raise the standard higher, because their religio-political philosophy has reached the limit of its developing power. The Church ruled, for the most part, during the "Dark Ages," and—failed.

1 Miller.

REPUBLIACN INSTITUTIONS BURST OUT

Conditions were prepared, however, for the bursting-forth of the flower of liberty, as is seen in the Republic in Brazil; in other South American States; in France, and elsewhere on the Continent. Rude barbarians were brought under civil institutions, nominally Christianized, and seeds sown which have produced a harvest for liberty. Here is the first step toward republican institutions.

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BASED ON A WRONG PHILOSOPHY

While much may be said in favor of the Church controlling the State, nevertheless, it RESTS UPON UNSOUND PHILOSOPHY. i. e. THAT THE STATE IS NOT INDEPENDENT. A philosophy which destroys, abridges, or limits the INDEPENDENCE OF THE STATE is to be, however many good results may be secured, rejected. The Church was not ordained to rule in the material and physical, to guide national affairs, to imprison and punish; to wage war and to conclude peace. Neither her organization nor constitution admit of such purpose and ends. Exalt the Church to a false supremacy, and her organization and purposes leave her prey of unbriled fanaticism and ungoverned passion. There is no fanaticism so dangerous as the religious. Once it is enthroned, it rules with iron hand and unmerciful determina-

tion, The civil power is providentially so constituted and bears such relation to the church-member, that, when accorded its sphere, it will hold in check the human tendency to make men religious by law, by fines, by imprisonment, by torture, by death. Results can be gained, as has been shown; but the ulterior purpose—to save men—is not attained.

PUTS THE SWORD INTO THE HANDS OF THE CHURCH

As an argument to controvert the Church's control of civil power, the manner in which she wields that power, and the uses to which she puts it, may be cited. And *first*: THE SWORD IS PUT INTO THE HANDS OF THE CHURCH. "Few pages of history," says Miller, "awaken feelings of deeper sadness than those which record the union of civil power with religious bigotry. For the State to lend its arm to the Church, and at her suggestion destroy life instead of protecting it, is for it to mistake utterly the ends of its existance, and usurp in turn the functions of a higher power. The doctrine of "the two swords" in the hands of the Pope has led to unutterable horrors."—"The two swords are still united in some countries of Europe, and a large part of the religious writers of Germany still believe that religion would receive a fearful blow in the severing of her ministry from the supervision and support of the

State."[1] (Now modified). Canning, in his "Christian Toleration," says "If the believer had been warned that, for centuries, sincerely professing Christians would persecute and destroy not only fellow-creatures, but even fellow-Christians, in the name of Him whose religion was mercy itself, surely the intimation would have seemed utterly irrational. And yet, such is the extraordinary fact recorded and bequeathed by undisputed history."[2] "All historical evidence proves that Christianity learnt little mercy in the school of persecution, but was often eager to emulate the Pagan example of intolerance."[2]

Lecky, in his "History of Rationalism," makes somewhat similar statements. "This fanatical idea," he says, "of exclusive salvation and the guilt of error so contary to both reason and humanity, has long prevailed even among learned theologians; and the evil it has caused to the human race, in Europe especially, is sad, disgraceful, and almost incredible. Its history and development from the establishment of Chrisitanity prove that more misery, suffering and wrong have been inflicted on mankind by conscientious fanatics allied with law and public opinion, than ever were or could be occasioned by ordinary crimes.—The Crimes of religious enthusiasts, sincere in bigotry, conscientious in fanaticism, honestly, believing themselves right, while destroying fellow-creatures under no pretext but that of doctrinal error have caused an amount of human suffering altogether unparalled."[1] "The opinion of the

1 Miller.
2 "Christian Toleration"—Canning.

Fathers on the subject of toleration were divided. Those who wrote when a Pagan or heretical power was superior, were champions of toleration. Those who wrote when the Church was in the ascendent, usually inclined to persecution."[1]—"*See how these Christians love one another!*" was the just and striking exclamation of the heathen in the first century. "*There are no wild beasts so ferocious as Christians who differ concerning their faith!*" was the equally striking and probably equally just exclamation of the heathen in the fourth."[1] It is to be admitted that in expressing such views, Lecky was not altogether without grounds. Guizot, in his "History of Civilization," uses somewhat similar language: "The Protestant religion is far more tolerant than the Catholic simply because the events which have given rise to Protestantism have at the same time increased the play of the intellect, and therefore lessened the power of the Clergy. But whoever has read the works of the great Calvinist divines, and above all, whoever has studied history, must know that, in the sixteenth and seventeenth centuries, the desire for persecuting their opponenth burnt as hotly amongst them as it did among the Catholics even in the worst days of Papal domination."[2] These quotations from authorities not altogether unbaised, emphasize the proposition—IF THE CHURCH HAS THE SWORD SHE WILL USE IT; and when she controls the civil power she has the sword. Hence, *CHURCH ABSOLUTISM MEANS PERSECUTION*. She relies upon force, not per-

1 "History of Rationalism", Vol. II.—Lecky.
2 "History of Civilization"—Guizot.

suasion, or the Holy Ghost. The wheel, the cauldron of boiling oil, burning alive, burying alive, flaying alive, tearing to pieces with wild horses, were some of the means used to deter from defection. False interpretations were read into the Word of God—that Saul spared Agag, but Samuel hewed him in pieces; that Elijah slew four hundred of the prophets of Baal, etc., etc. In 385 the first instance of judicial capital punishment for heresy was a matter of public official act. The horror which it everywhere excited shows that it was regarded as a hideous innovation. Jerome argued that "piety and zeal for God could not be cruelty, and that rigor is the most genuine mercy, since temporal punishment averts eternal perdition." Nevertheless the common people looked on with abhorrence! and the first shedding of blood caused an outburst of religious indignation on the part of such saintly bishops as Ambrose of Milan, and Martin of Tours, who refused communion with persecuting bishops. But Pope Leo I. justified the act in 447, and Pope Innocent III. exhorted to the crusades against the Albigenses in the South of France in 1213. This policy was persued on the theory that the Church herself does not persecute (*"ecclesia non sitit sanquinem"*) she only excommunicates the heretic, and then hands him over to the civil power for temporal punishment. But she sanctioned the penal laws against heresy, and thus made herself *particeps criminis.* Geffcken, in his admirable work, "The Church and the State," says "The decrees of Lucius III. at the socalled Council of Verona, in 1184, command-

ed that all Protestants should take an oath to enforce the ecclesiastical and secular laws against heresy. Any refusal or neglect was to be punished by excommunication, deprivation of rank, and incapacity for holding other stations.—The Sovereign was coerced to extirpate heresy by seeing that the laws were sharp and pitously enforced. And all the lesser officers were made to feel that their first, chiefest, and highest duty was TO *MAINTAIN THE PURITY OF THE FAITH.* In handing the Emperor the ring" (and this is significant showing the supremacy of the Church) "the Pope told him that it was a symbol that he was to destroy heresy; and in girding him with the sword, that he was to strike down the enemies of the Church."[1]

As further evidence going to show that if the Church controls the State, she does not fail to wield the sword, the Fourth Lateran Council might be cited. Said Council met in 1215. Many important Resolutions were passed, one of which set forth the DUTY OF EXTIRPATING HERESY. All who impugned the faith as defined by the Council were adjudged heretics and punished accordingly. Civil rulers were made to swear to purge the lands under their jurisdiction of all heretics denounced as such by the Church. All who took part in crusades against heretics received the same absolution as those who battled with the Saracens. Bishops were required to visit all parishes in which heretics were said to exist, and *COMPEL THREE TRUSTWORTHY INHA-*

1 Geffcken, Vol. I.

BITANTS, or if necessary, THE *WHOLE NEIGHBORHOOD, TO SWEAR THAT THEY WOULD DENOUNCE TO THEM ANY HERETICS, OR THOSE THAT FREQUENT SUCH CONVENTICLES, OR DISSENT FROM THE HABITS OF THE FAITHFUL.* Such was the condition of affairs during the reign of Innocent III. He was virtually absolute dictator, lord of both Church and State. He shrank from no means necessary to compass a universal spiritual monarchy. Boniface VIII, his successor, started with the hypothesis that the spiritual and civil sword are both in the hands of the Church. He claimed that he who resisted, resisted the ordinance of God, and that every human creature, at peril of his salvation, must be subject to the Roman Pontiff. Seated upon his papal throne, girt with the sword and adorned with the tiara, he exclaimed to the multitude of pilgrims attending his great jubilee: *"AM I NOT THE HIGH PRIEST? IS NOT THIS THE CHAIR OF ST. PETER? CAN I NOT PROTECT THE RIGHTS OF THE EMPIRE? I AM CAESAR! I AM EMPEROR!"*

What need of further demonstration that

THE CHURCH, IF SHE HAS THE SWORD, WILL USE IT?

One more illustration, however, will be produced.—The Inquisition was based upon the theory that the Church is in exclusive possession of the truth, and is authorized to impose this upon men. The Inquisition came into actual existance after

the Albigensian crusade in the early years of the 13th century. An heroic attempt had been made to suppress heresy, and much blood was shed. As this Crusade closed its work, Innocent III. appointed a Commission of ecclesiastical delegates to extinguish any smouldering remains. Inquiries were to be instituted once a year by the bishop in person, or by his archdeacon, among all communities which were suspected to be heretical. The Fourth Lateran Council, 1215, made the inquisitorial power of the bishop a permanent institution. The machinery of the Inquisition was perfected in 1229 by the famous Council of Toulouse. In every village or town where heresy was suspected, ONE CLERICAL, AND TWO OR MORE LAY, INQUISITORS WERE APPOINTED TO HUNT OUT HERETICS. THE PROCEEDINGS WERE SECRET, WITHOUT WITNESSES, OR ANY DEFENCE BEING ALLOWED. The work was so searching and complete that, in Spain and Italy every spark of sympathy with Protestanism was extinguished. The Merciless rigor of the Inquisition made "a solitude, they called it peace."

The fury of the philosophy of Church Supremacy, the barbarism to which it leads, needs no further demonstration. The Church, if she has the sword, will use it. Her mission, ends, and purposes, her desire to reach and influence men, tend to cultivate the desire to force them to listen and to obey.

EFFECT UPON THE CHURCH

The tendency is to produce formality and hypocrisy: to multiply rites and ceremonies: to develop superstitions. The control of the state by the church would, in a superficial view, appear to favor a high, religious development, a grand and mighty work of faith, love and new obedience: the broadening of the field of learning and the narrowing of the zone of ignorance: of lifting the people to a state of high cultivation. Such is not the case: but the opposite. The South American States which have been dominated by Church Supremacy, are noted for their illiteracy no less than for their corrupt Christianity. They are bigoted and intollerant. 'They will not enter into the kingdom, nor suffer those that are entering.' Spain was held back in Medieval conditions because this unsound philosophy of the Supremacy of the Church was persistently applied. The moral and spiritual thermomenter read—"Bull-fights!" (and is still). Similar results were produced by the same philosophy in earlier times. "As the School of the Stoics had declined," says Prof. Ellinwood, "and disappeared, and the chief assailants of Christianity had been answered, the Age of Apologetics was followed by an age of dogmatism and, for nearly a thousand years, the decisions of Popes and Councils were the end of all controversy. It would have been better if schools of philosophy and pseudo-philosophy had continued their attacks and the life of the Church had been given to apologetics, instead of to ecclesiastical intrigues and the stamping out of heresy."

(University Lectures by Professor Ellinwood.) Here the low state of religion, piety, and godliness, are, with the Professor's characteristic clearness, set forth; and likewise as the result of the ascendency of the Church, not only over the State, but practically in every sphere. Everything relating to inquiry was fiercely opposed; every avenue was closed. The State was a subject, not an independent institution. The Church clothed in gorgeous apparel; sparkling with precious stones, the treasures of the nation flowing into her coffers; kings kneeling as suppliants at her feet; the people, under the spell of multiplied superstitions, cringing in the shadows; was on the throne. Duty came to mean attentive observance of certain forms and ceremonies which came into collision little or not at all with ordinary life. If they did the failure was settled by the payment of money. "The priests, profligate in their own lives, extended to the laity the same easy latitude which they asserted for their own conduct. Religious duty no longer consisted in leading a virtuous life, but in purchasing immunity for self-indulgence by one of the thousand remedies which Church officials were ever ready to dispense at an adequate price. —At last it pleased Pope Leo, who wanted money to finish St. Peter's, to sent about spiritual hawkers with wares which were called indulgences,—notes to be presented at the gates of purgatory as passports to the easiest places there,—and then Luther spoke, and the whirlwind burst." (Froude address at St. Andrews.) Selling indulgences markes one of the depths to which Church rule can sink.

REFORMERS AND ENLIGHTENED STATESMANSHIP

A family of independent States, protected by a gradually perfected system of international law—*WAS UNKNOWN ALIKE TO ANTIQUITY AND TO THE MIDDLE AGES.* Antiquity understood only to effect the unity of several States by the *SUBJECTION OF ALL TO ONE.*[1] *THE MIDDLE AGES SOUGHT FOR UNITY IN THE UNITED SUPREMACY OF EMPIRE AND PAPACY."*[2] "As early as the thirteenth century," says Geffcken, "the life of the Middle Ages had overpassed its zenith under the shadow of the great power in which its salient features had been represented, that process of political chemistry had been gradually completed by which Anglo-Saxon and Norman had been fused into Englishmen; Franks, Celts, and Latins, into Frenchmen; Visigoths and Latins, into Spaniards. *ON THE FOUNDATION OF THESE SELF-ASSERTING NATIONALITIES* and supported by the ambition of the middle classes, *NOW EMERGING INTO POWER, AS WELL AS BY THE FREEBORN SPIRIT OF LEARNING AND INQUIRY, WAS BUILT THE INDEPENDENCE OF THOSE STATES, WHICH FIRST EMANCIPATED THEMSEIVES FROM THE EMPIRE, AND THEN STROVE TO MAINTAIN THEIR CIVIL FREEDOM AGAINST THE SPIRITUAL SUPREMACY OF ROME."*

1 Geffcken.

2 This statement is not, according to Professor Brown, strictly correct. There were several ancient "Leagues"; but they were of short life.

This clear statement by Geffcken is worthy of that eminent author. With the springing into life of these great nations there came likewise—A NEW POLITICAL PHILOSOPHY.

In its application, the "Holy Roman Empire" disintegrated. Near the end of the seventeenth century, Church control declined. Another political philosophy—that of the SUPREMACY OF THE STATE, had been slowly developing, and was held in check from earlier application in the many countries of Europe only by the utmost exertions of Rome. And in spite of her, rulers would now and again utter declaration of independence, only to be brought again under the dominion of Church supremacy. Finally the philosophy of the freedom of the State from ecclesiasticism was ripe for application. It came with, and was part of, the Reformation. It was pressed with determination. It prevailed, and mighty was the rejoicing of liberated millions. Henry IV insisted on the broadest application of the new philosophy, insisting on the absolute power of civil sovereignty within limits bounded only by private rights; the latter including freedom of conscience and religious belief.

States which were able to suppress this new political philosophy have never recovered from the injury their conduct entailed upon themselves; as was seen in Spain. The independence of the State was pushed with persistent detrmination by the leading reformers. "The nonsense," says Luther, "which would exalt the papal power above the imperial, *IS NOT WORTH A FARTHING; AND*

WE WILL TOLERATE NO LONGER THAT ARROGANCE, WORTHY OF THE DEVIL WHICH WOULD MAKE THE EMPEROR KISS THE FEET OF THE POPE; OR HOLD HIS STIRRUP; STILL LESS WHICH WOULD HAVE HIM SWEAR ALLEGIANCE—acts which the Popes are impudent enough to demand, as though they had a right to them."

Setting forth and maintaining this great principle may be regarded as the triumph of the end sought and gained over the Medieval Church. It states one of the most profound principles of the Reformation. It was wrought into the life of Protestantism and her Confessions. "The ecclesiastical and civil powers," says the Augsburg Confession, "are not to be confounded. The ecclesiastical power hath its own command to preach the gospel and administer the sacraments. Let it not intrude upon another's office—let it not transfer the kingdoms of the world—let it not abrogate the laws of magistrates, nor withdraw from them lawful obedience, nor hinder the execution of judgments touching any civil ordinance or contracts—let it not prescribe laws to governors concerning the form of commonwealth, since Christ saith, "My kingdom is not of this world." In this way do our teachers distinguish the office of both of these powers, and warn all men to honor both powers and acknowledge both powers to be the gift and blessing of God. The civil power deals with other matters than the Gospel. It protects, not the souls, but the bodies and bodily things of the subjects. It defends them against

violence from without, and compels men with the sword and punishment to observe civil justice and peace." [1]

Here is a complete breaking away from ecclesiasticism and Medieval philosophy. Also, it contains a remarkably clear statement of sound poli tical philosophy. The unconditional rejection of the one, and the immediate application of the other, was insisted upon.

The development of this same philosophy is seen in England. The Parliament, acting on petition of the Reformers, called an Assembly to draw up a Confession of Faith. This Confession was subsequently ratified by the Estates of the Realm. It was purely doctrinal, and excepting in the Chapter on Civil Magistrates, did not touch on the question of the relation of the Church to the State. In said Chapter, the duty of obedience to the civil power was inculcated: "It is the duty of the people," says C. XXIII, Sec. IV, "to pray for magistrates, to honor their persons, to pay them tribute and other dues, to obey their lawful commands, and to be subject to their authority for conscience's sake. Infidelity, or indifference in religion, doth not make void the magistrate's just and legal authority, nor free the people from their due obedience to him; from which *ECCLESIASTICAL PERSONS ARE NOT EXEMPTED; MUCH LESS HATH THE POPE ANY POWER OR JURISDICTION OVER THEM IN THEIR DOMNIONS, OR OVER ANY OF THEIR PEOPLE;* and least of all to deprive them of their

1 Augsbury's Confession.

dominions or lives, if he shall judge them to be heretics, or upon any other pretence whatsoever."[1] William, Prince of Orange, established the same principle in the Netherlands.

These declarations, remarkable for those days, are among the first recorded utterance of civil and religious liberty which have since prevailed in England and America. The Church had her thousand years of supremacy and absolute control. That divine institution, the State, was employed within her folds and executed her decrees by force. Piety and godliness blasted under her touch. But at last the spell was broken, and civil and religious liberty *BURST FORTH WITH IRRESISTIBLE POWER*

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THE STATE MAY CONTROL THE CHURCH

This is a third possible relation. It is a step in advance of the relation set forth in the preceeding chapter. True, it is the old philosophy which was applied by Constantine, but in milder and modified form, softened down by general diffusion of knowledge and study of the Scriptures. Richer, an old and forceful writer, was clear in his philosophy as to the non-necessity of a temporal head to the Church; but he fell into error in the jurisdiction which he assigned to the State in ecclesiastical matters. He maintained that the Church possessed, by divine commission, neither secular

1 Confession of Faith.

dominion nor secular rights. These he contended, "belonged to kings and to princes, who alone, as protectors of the Church, enjoyed the right of vindicating and executing the divine law, determining all appeals *ab abusu,* and of compelling obedience, if necessary, by force."[1] This gives evidence that in the beginning of the seventeenth century, writers on religio-political philosophy were emerging into light, but they did not see the full truth. Swinging to the other extreme from ecclesiasticism, they would put religion under the control of the magistrate, and would have the State exercise jurisdiction in spiritual matters. As the Reformation was constructive rebellion against Rome, it was necessary that the Reformed Church and the civil powers which had broken away from the Holy Roman Empire, should make common cause. They did. Thus the civil power became the bulwark of defence for the struggling Church. This function of the State viz: TO WATCH OVER THE CHURCH, soon broadened into control of doctrine, worship and government. At first this was more or less a temporary makeshift, an expedient which grew out of the necessities of the times, but which soon came to be established as a principle of right. Finally, State Control came to be so pronounced that the right of the spiritual community to cooperate in the election of pastors was rejected. The State assumed the right of maintaing the purity of worship and unity of doctrine; of insuring regular attendance at Church and reception of sacra-

1 Richer.

ments; and in cases of proved irreligion, of pronouncing the ban of excommunication. Soon civil penalties were meted out to offenders, as withdrawing of license, deposition from office. Obsti nate offenders were now and then thrown into prison until promise of amendment was given. "Church discipline became a system of secular police." *.This unsound political philosophy prevail ed until it came to be an accepted maxim that the civil power should no more permit the poisoning of souls than it should the poisoning of wells.*

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THUS THE GENERAL PRINCIPLE OF STATE SUPREMACY WAS EVOLVED

and civil power took upon itself the task of establishing faith and worship by law.

The principles underlying State Control appear to be—*First*: *A recognition of the high importance of religion to the national life.* This is worthy of note as a basal principle. Religious worship was recognized as a general want, and to be met by the State, just as in the army, the judicial establishments, etc. Hence ecclesiastical officers came to be regarded as officers of the State, and were treated as such. In England, to this day, the Clergy is one of the "three estates of the realm." The importance of religion is recognized by all States, be they, or be they not, Christian. This is fundamental, and must be clearly conceived to well understand the activities of the State

in the sphere of religion. Russia is just now trying to blot out religion. She is like an owl sailing across the noon. Holding tight its blue-fringed lids, it hoots at the glorious sun and cries—WHERE IS IT? Russia is against the ruling passion in man's soul—*Religion!* The experiment, with its blasphemy, and wreck of souls will fail.

Second: *When the State controls the Church, it holds itself bound to assume the provinces of the Church, and to promote the religious institutions of the people.* The State assumes paternal relations and teaches as a father. It provides the means for the exercise of religious worship.

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ADVANTAGES

There are advantages, for the Church is put in all parts of the realm by law—somewhat as a political institution, but none the less, she is there, with her ordinances. Thus the strong aid the weak, and everywhere, the religion owned by the State, is emphasized.

In 1534, the King of England, Henry VIII, was authorized and empowered, by law, to repress and extirpate all errors and heresies. Queen Elizabeth, though not actually adopting the title taken by her father of 'Supreme Head of the Church,' assumed nevertheless the virtual government of the Church as well as the State. The laws made concerning religion, during the reign of Edward VI, amended the Litany and the

Prayer-Book, and arranged a liturgy in the language of the nation, and which provided for participation by the congregation. *THUS AROSE THE ANGLO-SAXON CHURCH. HER MOST CHARACTERISTIC FEATURE IS THE ROYAL SUPREMACY.* To this day the General Assembly of the Church of Scotland is opened by the King's Commissioner.

"Here there is no hierarchy, as in Catholic countries; no theocracy, as at Zurich and Geneva; no mixture of faith, as in the Protestant States of Germany; but a purely political and national Church." She was thus a child of the State to an extent almost unknown with any other. In 1571, the Crown exercised its authority over the Church, licnesed, in certain cases, the proceedings of ecclesiastical courts, by appointing bishops, by supreme jurisdiction over ecclesiastical cases in the last resort, this latter function being entrusted to a Commission under the Great Seal. Bishops at first entered into Parliament as Commissioners of the Church; but they gradually assumed the full attributes of power. The Corporation Act, 1661, required all magistrates and persons bearing office of trust to *ADJURE AS UNLAWFUL ALL RESISTANCE TO ROYAL AUTHORITY,* and to receive the eucharist in future according to the rites of the Church of England. And the Act, 1664, prohibited the holding of Conventicles under pain of imprisonment. James II, erected a tribunal called the Court of Commissions For Ecclesiastical Causes, which, under the control of Jeff-

reys, exercised arbitrary jurisdiction over all the Clergy.

"The supremacy of the soverign restored to the Crown the ancient jurisdiction over the estates ecclesiastical, and spiritual, and abolished all foreign powers repugnant to the same.—Such jurisdiction, privileges, supermunities, and pre-eminences, spiritual and ecclesiastical, as by any spiritual or ecclesiastical power or authority, may have lawfully been or may lawfully be, exercised or used by the visitation of the ecclesiastical State and persons, and for reformation, order and correction of the same, and of all manner of errors, heresies, schism, abuses, offenses, contempts and enormities shall be united and annexed to the Imperial Crown of the realm." [1]

This very remarkable State Paper bestows upon the Monarch almost unlimited authority in the Church. The Convocations could only be assembled by Royal Writ. They could not proceed to make new canons without Royal license, which must be a separate Act from permission to assemble. No canons thus adopted could be published or take affect until confirmed by the Soverign. Not even with Royal decree, could canons be enacted against the laws and customs of the land, or the prerogatives of the Crown. *Thus the Soverign seized all the authority exercised at the opening of the Reformation, by the Pope, and received the title.*

1 Caldwell: "Corrections Committees Report", Par. 36

THE ONLY SUPREME HEAD ON EARTH OF THE CHURCH OF ENGLAND
(Covenanters said—NO!!)

The same claim of spiritual jurisdiction reached to the Colonies in America. Letters Patent granted by Queen Elizabeth to Colonies in Maryland, 1606, contained these provisions and instructions for the government of said Colonies: "And we doe specially ordaine, charge and require, the said President and counsellors, and the ministers of the said several Colonies respectively, within their several limits and presincts, that they, with all diligence, care and respect, doe provide, that the true word and service of God and Christian faith be preached, planted and used, not only within every of the said several Colonies, and plantations, but also as much as they may amongst the savage people which doe or shall adjoine unto them, or border upon them, according to the doctrine, rites and religion now professed and established within the realm of England."[1]

The first Charter granted by King Charles II to the Colonies of Carolina, has in it these provisions—Sec. 100: "In the Terms of Communion of every Church or profession, these following shall, be three, without which no agreement or assembly of men, upon pretence of religion, shall be accounted a Church or profession, within these *rules*: I: *That there is a God.* II: *That God is publicly to be worshipped.* III: *That it is lawful and is the duty of every man, being thereunto called by those that govern, to bear witness to Truth*:

1 Charter Granted by King Charles II. in full, in "The Case of Protestant Dissenters in Carolina", London, 1506 (Lenox Library).

and that every Church or profession shall in their Terms of Communion set down the external way whereby they witness a Truth, as in the presence of God, whether it be by laying hands on, or kissing the Bible, as in the Church of England, or by holding up the hand, or in any other sensible way." [1]

The Charter of Virginia enjoined the establishment of religion according to the doctrine and usage of the Church of England. Disenters were allowed under certain restrictions, which came to be more and more rigid. At last adhesion to the Established Church was made a test of loyalty to the Colonial Government, which presently developed into persecution. No minister was allowed to preach publicly or privately, except in conformity to the Constitution of the Church of England. "Puritans were banished under heavy penalty and forbidden to re-enter the Colony. Severe enactments were passed against the Quakers. Denying the Trinity was a punishable offence. Many worldly Christians were thrust into prison; and but two years before the Revolutionary War, six Baptists were imprisioned in one Jail in Virgina for publishing their religious sentiments." [2]

New York was first settled by Hollanders, under the name New Amsterdam. In 1640, the controlling company decreed that 'no other religion shall be publicly admitted in the New Netherlands, except the Reformed—and for this purpose suitable preachers, schoolmasters, comforters of the sick, shall be provided.' But the home gov-

1 "The Genesis of the United States"—Browne.
2 "Progress of Religious Freedom"—Schaff.

ernment disallowed this, and the Reformed Church was saved from tarnishing her fair name. When New Amsterdam came into possession of the English, 1664, liberty of worships was allowed, though the Church of England was the Established Church, AND ALL WERE TAXED TO SUPPORT IT.

Though the Puritans did not establish a Church, yet, deeming their religious liberty in danger on account of which they came to the New World, they ordered Churches to be built and maintained in every town at public cost; *COMPELLED ATTENDANCE UPON PUBLIC WORSHIP, AND FORBAD THE SETTING UP OF OTHER CHURCHES WITHOUT THE CONSENT OF THE GOVERNMENT.* They held and applied the political philosophy that the State should provide for the maintenance of religion and should guard against heresy.

The legal connection between the Church and State in England, the parent of efforts in this direction in the American Colonies, is thus set forth by the Hon. Arthur Elliott, under the following specifications—

"I: *The Royal Supremacy.*

II: *The Subordination of the Church to Parliamentary Control.*

III: *The Presence of Bishops and Archbishops in the House of Lords.*

IV: *The National Endowment of the Church.*

V: *The accessibility of the Church to all who may wish to avail themselves of its ministration.*"

"Every English Soverign, on coming to the possession of the Crown, shall join in communion with the Church of England as by law established; and in the Coronation Service, which must be performed by an Archbishop, or a Bishop of the Established Church, the Soverign undertakes to 'maintain the laws of God, the true profession of the Gospel, and the Protestant Reformed Religion established by law', and to 'preserve to bishops and clergy of the realm, and to the Churches committed to their charge, all such rights and privileges as by law do or shall appertain unto them." [1]

In the Genevan State there was a code of civil ordinances which applied rigorous methods to the relations of social life.

"The Lesser Council confirmed the appointment of ministers nominated by the Clergy; and not until their sanction was obtained were they presented to the community for approbation—a mere form which practically annuled the principle of general election established by Calvin himself. The twelve lay-elders of the Consistory—the supreme tribunal of the Church—were chosen solely from the Council of Two Hundred and the Council of Sixteen, viz: two from the former and four from the latter; and though nominated by the ministers, were elected by the Council. The Church lost her intended moral control and the State became virtually supreme." [2]

Schaff, in his "Progress of Religious Freedom", says—"Down to the end of the seventeenth

1 "The State and the Church"—Elliott.
2 Geffcken.

century THE PREVAILING SENTIMENT AMONG PROTESTANTS, as well as Roman Catholics, condemned toleration as a compromise with error and as a dangerous heresy. Calvin, the severest, and Malangthon, the mildest, among the Reformers, fully agreed in the justice of the sentence which condemned Servetus to death in Protestant Geneva." (That Calvin agreed has not been satisfactorily proved). But it must be admitted there are a few examples of persecution in some of the Colonies in America, as Massachutetts, New York, and Virginia. These were inexcusable because inconsistent with the first principles of the Reformation. Those who did so denied the infallibility of the Pope and acted as if infallible themselves.

These extended extracts have been given to demonstrate the State's control of the Church. This followed as a reaction from the Church's control of the State. Underneath the System of State Control is a general principle which must be grasped, in order to understand the impelling motive. It was this:

PEOPLE HAD NOT YET CONCEIVED OF THE POSSIBILITY OF TWO OR MORE RELIGIONS DWELLING SIDE BY SIDE WITHIN THE LIMITS OF THE SAME NATIONAL BOUNDARIES, ANY MORE THAN TWO OR MORE INDEPENDENT STATES WITHIN THE SAME NATIONAL DOMAIN.

"For many ages," says Freeman, "from the time when the last man in Sussex or the Isle of Wright left off worshipping Woden till the time when the doctrine of the Lollards began to spread, the question of toleration of different re-

ligious bodies in one nation was not a practical question. There were no dissenters. Individual heretics were most rare, and heretical sects or communities were unheard of.—When they did appear in the form of the Lollards, the impulse was to get rid of them, as of any other disturbers of the body politic, and all the more so, as their religious dissent was undoubtedly connected with political dissent." [1] "It was not till the sixteenth century that the consequences of difference in religion between men of the same nation became the great question of the time. *THEN AT LAST THE FACT THAT MEN MIGHT DIFFER IN RELIGION FAIRLY STARED MEN IN THE FACE.* But even then men for a long time held that the Church and the nation ought to be one, that DISSENT IN RELIGION WAS A THING TO BE PUT DOWN BY LAW AS MUCH AS SEDITION IN POLITICS. It was held to be the duty of the civil power in each State to prescribe its own religion to its subjects." [1]

People of this generation bring to the consideration of this question preconceived notions and ideas and principles which have been developing and forming institutions for more than two hundred years. To grasp the conceptions of two and three hundred years ago is most difficult. They seem unreasonable. But to the people of those generations, they were plausible and right.

1 Freeman: "Disetablishment and Disendowment".

DOCTRINE WORSHIP GOVERNMENT TREASURY

In the system under consideration, the State controls the doctrine, worship and government of the Church, and provides for her out of the funds of the State. These considerations are far-reaching, and should be clearly perceived. When the State presumes to Control the Church, it must of necessity define the nature of the religion to be professed, and the ordinances by which worship shall be conducted, and the means for carrying forward the work must be provided. The State must determine *WHAT IS THE TRUE RELIGION; THE TRUE MANNER OF WORSHIP; THE TRUE GOVERNMENT OF THE CHURCH.* Just here the State encountered great difficulty. In England and on the Continent, Roman, Anglican, Puritan, *all held alike that it was their duty, wherever they had the power to establish* their own system to the exclusion of all others. Nor did they believe that there could be another Church, Popish or Puritan, along side of the one established more than there could be another government in the same domain. It was the duty of the magistrate, in their view, to enforce the law in ecclesiastical matters as in civil. Hence, three centuries ago, to maintain the truth meant to put down by force all religions other than that established by law. Formulating Independent Confessions was, therefore, difficult.

It will be observed that the officers of State, as members of Parliaments, Legislatures, etc., are not, as a rule, particularly conspicuous as Bible

students. Their time and attention are given to things of State, the development of the commonwealth, the protection of the people. Yet, State Control takes these supreme powers from the Church. June 12th, 1643, the English Parliament passed a Bill calling the Assembly of Divines, to meet at Westminister. The Enabling Act reads as following: *"An Ordinance of the Lords and Commons in Parliament, for the calling of an Assembly of learned and godly Divines, and others to be consulted with by Parliament, for the setting up of the Government and Liturgy of the Church of England, and for the vindicating and clearing of the doctrine of said Church from false aspersions* and interpretations."

This Assembly met, according to this Ordinance, on July 1st, 1643, and after Divine worship in the which the two Houses of Parliament joined, and a sermon by Dr. Twise, the appointed prolocurator of the Assembly, the Commision adjourned to Henry VIII's Chapel, and the roll of the one hundred and forty-one delegates was called. On December 3rd, 1646, *the Confession of Faith was presented to Parliament, "by the whole Assembly in a body",* under the title of "The humble *advice* of the Assembly of Divines and others, *now by authority of Parliament sitting at Westminster,* concerning a Confession of Faith." On the 7th, Parliament ordered "five hundred copies of it printed for the members of both Houses; and that the Assembly *DO BRING IN THEIR MARGINAL NOTES TO PROVE EVERY PART OF IT BY SCRIPTURE."* Bar-

ring a few particulars which were recommitted, the Confession was practically adopted by Parliament on March 22nd, 1648.

With the content of this Confession, this discussion has not to do. The same Assembly formulated a "*Manner of Worship*; and "*A Form of Church Government*". On all of these, the Parliament exercised veto power. Thus the State supplied religious instruction, formulated creeds, and by means of taxation, religious endowments, etc., provided the means of support. "*The ecclesiastical Assembly of the Established Church cannot even enter upon any business without a license from the Crown; its decrees are not binding on the clergy themselves till they have received the Royal assent, nor on the laity TILL THEY HAVE BEEN CONFIRMED BY PARLIAMENT.* Meanwhile *Parliament can legislate on any ecclesiastical matter; can alter ecclesiastical ceremonies and ecclesiastical discipline without consulting the ecclesiastical Assembly at all.* But to counter-balance this, the ecclesiastical order is recognized as an estate of the realm, and certain of the chief ministers have official seats in the legislature, with votes, not only on ecclesiastical matters, but on all matters which come under discussion. To balance back again, these great officers of the Church are, if not directly appointed by the Crown, yet recommended to the electors in such way that they cannot refuse to obey."

Thus, briefly, State Control of the Church in England, as with few modifications it exists to-

day, has been given. But in the early centuries of the Christian Era, when Christianity came to be the controlling religion in the Roman Empire, such enlightened views did not prevail. No other than the Established Religion was allowed. The old philosophy was applied. "A bill of religious liberty," says McCaulay, "would have been burned by the mob in half the market places of England."

However, light forced its way in. The Reformation, through multitude of difficulties, arrived *in no uncertain way.* More tolerant views prevailed. As a general proposition, it can be affirmed that, during the Era of State Control of the Church, (practically from the opening of the Reformation), other forms of religion were allowed to exist side by side with the Established Church.

ERA OF TOLERATOIN

When the Church ruled the State, she would not tolerate other forms of doctrine, worship, or government, than her own. She would burn and kill dissenters. When the State ruled the Church, forms of religious worship and government, and doctrine, other than those adopted by the State were, under certain restricitions, permitted. But at the first, as the State fought to establish Prelacy in England and Scotland, an even fiercer persecution followed than under the Romanized government. After 28 years called "The Killing Times," the State granted toleration; but still

retained authority over the Church. This Covenanters rejected. (For the text of Act see Progress of Religious Freedom: Shaff. it was given 1689.) THUS STATE CONTROL IS A GREAT ADVANCE. It shows the progress of religio-political philosophy. Alongside of the Church so "established", other religious bodies held a less dignified and favored position. They were tolerated, and in a sense, protected. But in no case did they, or do they, hold such close connection with the State. Liberty of religious worship was formally sanctioned by Spain 1869. Belgium has not made a clear separation of Church and State; hence free institutions are under clerical domination. But there is, theoretically, freedom of worship. Since 1870, Italy has had freedom of worship. In Austria, a compromise between the Church and State existed by union; but the supremacy of the State in ecclesiastical matters was preserved. Switzerland combats Ultramontanism by numerous encroachments on ecclesiastical territory. In Germany the State is controlling the Church, commanding the pulpit. The Church in Ireland was disestablished in 1869. In American Colonies the principle of toleration took deep root. In Georgia, New York, New Jersey, Delaware, Pennsylvania, there was no established Church, all forms of Christian Faith being tolerated, except the Catholics in Pennsylvania. In Virginia and North Carolina, the Anglican Church was the State Church. So in Maryland. In 1638, Roger Williams founded the first community which recognized that no civil authority had *A RIGHT TO*

INTERFERE IN MATTERS OF RELIGION.

The Puritans of Massachusetts and Connecticut, partly for fear the very blessing of religious liberty would be taken away, were not, at the first, tolerant, and many citizens were excluded from civil rights. But this wrong philosophy, difficult to apply, was soon discarded. In the United States is seen the general application of the great principles of absolute religious freedom.

Thompson, in his "Church an State in the United States", thus defines toleration: "In its etymological sense, toleration is allowance of that which is not wholly approved; and in its ecclesiastical sense, it means specifically the allowance of religious opinions, and modes of worship in a State when contrary to, or different from, those of the established Church or belief. Toleration is a concession in part, of that control over religion which the State assumes to exercise, but which it so far allows to fall into abeyance." [1] This definition of toleration, by Dr. Thompson, leaves out of view that governments are often forced to grant toleration. Dr. Temple, Bishop of Exeter, in his "Essays and Reviews", says of the growth of this spirit: "At the Reformation, it might have seemed at first as if the study of theology were about to return; but in reality an entirely new lesson commenced—THE LESSON OF TOLERATION. Toleration is the very opposite of dogmatism. It implies in reality a confession that there are unsoluble problems upon which even Revelation throws but little light. Its tendency is

1 "Church and States in the United States"—Thompson.

to modify the early dogmatism by substituting the spirit for the letter, and practical religion for precise definition of truth. This lesson is certainly not fully learnt. Our toleration is at present too often timid, too often rash, sometimes sacrificing valuable religious elements, sometimes fearing its own plainest conclusions. Yet there can be no question that it is gaining ground in the minds of all educated men, whether Protestant or Roman Catholic, and is passing them to be property of educated and uneducated alike.—Men are beginning to take a wider view than they did. Physical science, research into history, a more thorough knowledge of the world they inhabit, have enlarged our philosophy beyond the limits which bounded that of the Church of the fathers. —*The strongest argument in favor of tolerating all opinions is that our conviction of the truth of an opinion is worthless unless it has established itself in spite of the most strenuous resistance, AND IS STILL PREPARED TO OVERCOME THE SAME RESISTANCE IF NECESSARY.* Toleration itself is no exception to the universal law, and those who most reject the slow progress by which it wins its way, may remember that this slowness makes the final victory the more certain and complete,—for the slowness of the progress gives time to disentangle from dogmatism the really valuable principles and sentiments which have been mixed up and entwined in it, and to unite toleration, not with indifference and worldliness, but with spiritual truth and religiousness of life."[1] Even the Reformers seem, now and then,

1 "Essays and Reviews"—Temple.

to have fallen back into something of the spirit of the age, not all of them, but some of them, Among Protestant States in Europe, Norway maintained for the longest time, laws of severe exclusion against every religion differing from the Established Church: while Spain, under Catholic domniation, offered example of similar intolerance. In Italy tolerance was first granted to the Jews and to Greek schismatics, and, in recent years, to Protestants. Germany legally established toleration by the treaty of Westphalia, (now, 1939, rejected), and illustrated the true position: *TOLERATION TO ALL FORMS OF RELIGION WHICH WERE CONSISTENT WITH SAFETY TO THE STATE; AND CHRISTIANITY MUST VANQUISH FOES WITH THE SWORD OF THE SPIRIT, NOT WITH THE SWORD OF SLAUGHTER.*

During the past century, the cause of toleration, both religious and political, as inseperable from Christian civilization, has been more fully advocated and discussed. Populer writers, as Sir Walter Scott, Charles Dickens, Thackery, and others, almost unanimously advocated tolerant principles. Sir Charles Dickens, in "Barnaby Rudge" (preface) uses this language: "It is unnecessary to say that those shameful tumults (the London NO Pepery Riots 1780) teach a good lesson. That which we falsely call a religious cry is easily raised by men who have no religion, and who, in their daily practice, set at naught the commonest principles of right and wrong; that it is begotten of intolerance and persecution; that

it is senseless, bigoted, inveterate, unmerciful, all history teaches us."[1]

But toleration must now and then be carefully corrected, or it will cultivate indifference to truth, to right, to wrong, to duty. Froude in "The English in Ireland", thus carefully discriminates; "The utmost stretch of toleration cannot reach to the endurance of a belief which makes rebellion a duty, and teaches temporal obedience to some other sovereign as an article of faith. *No government need keep terms with such creed WHEN THERE IS POWER TO ABOLISH IT. To call the repression of opinion which had issued so many times in blood and revolt by the name of religious persecution is mere abuse of words."*[2] Cromwell followed the same policy as Queen Elizabeth—one of toleration; though he excluded Catholicism; not because of its religious, but political, character; and because it continually sought to reimpose its yoke of civil and spiritual despotism and domination. He allowed all sects and Churches to teach what doctrines they pleased. Even Jews, after an exclusion of nearly three centuries, were allowed to re-settle in the kingdom. Cromwell would not allow public display of hostility against members of different creeds, and quite as little would he tolerate Church interference in matters of State. His declaration was: *'In England the clergy have full liberty to preach the Gospel, but not to use abusive speech under the pretext of religion, nor to rebel against the civil power, or degrade it at their pleasure.'*

1 Dickens.
2 Fronde.

But while he denied Church Control of the State, he inconsistently held that 'the magistrate hath his supremacy; and may settle religion according to his conscience.'

The general principle of toleration had many, and justly famed, champions. It was born with the Reformation and grew into strength in the conflicts for religious liberty in the sixteenth and seventeenth centuries. While some Christian governments, (so called), establish a Church, determining her doctrines, Manner of Worship, and Form of Government, YET THEY NO LONGER PRESUME TO DENY THE RIGHTS OF *DISSENTERS*. Should such be attempted, there would be revolution in not a few nations, *AND THE VICTORY WOULD REACH FARTHER THAN TOLERATION*. "There is a wide difference," says Dr. Schaff, in his "Progress of Religious Freedom", "between toleration and liberty. The one is a concession, the other a right; the one is a matter of expediency, the other of principle; the one is a gift of man, the other, the gift of God. Toleration implies more or less of censure or disapproval. We tolerate or endure what we dislike but cannot prevent. The most despotic gevernments are tollerant towards subjects who are too numerous, or too useful to be killed or exilled." Turkey tolerates "Christian Dogs". In nearly all countries the principle of toleration is not only recognized; it is in operation.

STATE CONTROL OF THE CHURCH HINDERS SPIRITUAL DEVELOPMENT

It is believed that *State Control* hinders the purpose which is sought—*religious development. "Divine truth is not to be sought for from the lips of the State, nor to be sacrificed at its command."* (Gladstone). Harrision, in "State and Church", makes this very strong statement; *"A State Church by the constitution of human society, has insincerity for the marrow of its bones, and self-assertion for the breath of its nostrils. Spiritual enlightenment is not possible without spiritual freedom, and unity in the faith vanishes into space before the hide-bound and strident formulas of Acts of Parliament."*[1] When the Church becomes a function of the State the question of orthodoxy is practically dismissed. The tendency is toward a suppression of the faith. Religious earnestness is more or less congealed. Miller, who favors a limited establishment, in his book on these two institutions, says: "This breaking up of the organization of the Church of England, and the survival only of Royal control—was contemporaneous with, and in a measure production of, a general congelation of religious zeal. The low level of the bathos of the latter part of the eighteenth century is well known." This author, however, mistakes. Among the causes of decline were the attempts to smother vital godliness and religion *by forcing upon the people ordinances*

1 "State and Church"—Harrison.

and forms which they conscientiously rejected; but which were established by law.

Archdeacon Dennison held that *ESTABLISHMENT MEANT VICTORY FOR INDIFFERENTISM, AND TO SAVE THE FAITH AND WORSHIP AND THE DISCIPLINE OF THE CHURCH,* which are the trust of God's people. *THE CHURCH MUST BE DISESTABLISHED.*

It is not to be expected that a Minister of State can have any particular anxiety for the spiritual welfare of the people. *Religion is hardened into the systematized and clock-like machinery of a great public department, and the clergy are moved about under the direction of a company of clerks sitting in their central office.* But little room is left for *earnest zeal, voluntary energy, and self-sacrifice, which are inseperable from the essential holiness of the Church.* Such ministers of State appear to regard the Church simply as a mundane affair, a province of the State. Ministers of Public Worship are frequently chosen without reference to spiritual qualification. When the State establishes religion, everything is against the development of a high state of piety and godliness. And where these are found, they have generally been developed by the self-sacrficing labors of Dissenters. They utter the Word fearlessly. They apply the discipline of the house of God. THEY CULTIVATE SPIRITUALITY AND PIETY.

THE STATE CHURCH INTRODUCES AN ELEMENT OF DISCONTENT

For the State to Control the Church, and establish one of the many sects, introduces, in mixed populations, elements of discontent. When all were of the same religious persuasion these disturbing elements were not manifest. But now there are many sects. Each has its particular creed. Each separates from the other as a matter of conscience. *To establish the particular beliefs of one sect IS TO ANTAGONIZE OTHERS, which, numerically, may far out number the favored one.*

England dearly loves parade and show; especially as the highest dignitary of the Established Church places the Crown on the head of the King. And in this Non-Conformist is but a few steps behind the Anglican.

Also, establishing the Church, in the sense in which this must be taken in these days, *puts dissenters under unjust disability.* They are entitled to the rights and privileges of office, and positions of trust, but in many cases they are debarred. The Assembly of Carolina in the year 1704, passed an Act which runs thus: "Be it therefore Enacted by and with the Authority, etc. That any person after the ratification of this Act, that shall be chosen a member of the Commons House of Assembly, that hath not, within the space of twelve months before such his election, received the Sacraments of the Lord's Supper, according to the rites and usages of the Church of England,

as Established by law; such person, after his election, and before he be permitted to sit and vote in the said House, shall receive the Sacramnt of the Lord's Supper, according to the rites and usages of the Church of England, in some public Church, upon some Lord's Day, commonly called Sabbath, immediately after Divine service and sermon: and everyone of said persons, in open Assembly, in a full House duly sitting, with their Speaker in the Chair, shall deliver a certificate of such his receiving the said Sacrament, as aforesaid, under the hand of the respective minister, or shall make proof of the truth thereof by two credible witnesses at the least upon oath." It appears from this Act that Dissenters were *incapacitated* and rendered incapable of sitting in this Assembly of South Carolina. *THEY COULD NOT CONSCIENTIOSLY COMPLY WITH THE PROVISIONS OF THIS ACT. IT DEBARRED THEM WITH ALL THE POWER OF CONSCIENTIOUS CONVICTIONS.* Sitting in such Assembly is an exercise of power, and also a distinction and an honor. *TAKING THESE AWAY IS A MARK OF INFAMY AND DISGRACE, AS IF SUCH WERE NOT FIT TO BE ENTRUSTED WITH THE LIBERTIES OF THE PEOPLE IN THE DEGREE AS OTHER MEN.* The Dissenters in Carolina, therefore, put the case in the courts. (See "The Case of Protestant Dissenters in South Carolina."[1] London, 1706). That the provisions of this Act were unjust, and calculated to work hardship and pro-

1 In Public Library by above title (New York City).

duce discontent, will be admitted. John Bright claimed that one-half the population of England and Wales, at the present time, i. e., when he made the statement, were non-Conformists; and that these people are of the opinion that an injustice is upheld by Parliament as long as the measure of Disestablishment is refused.

Furthermore the non-Conformists are required to financially support the proclamation of doctrine, and the celebration of Ordinances which they conscientiously reject. If the State Controls the Church, it must make provision for maintaining Christian worship. A tithe was ordered by Charlemangne in 779, and its payment was compulsory. The proceeds were disposed of by the Bishop. In 787, at the Synod of Chelsea, the decrees of which were promulgated with the sanction of law, the payment of tithes was made compulsory, on the principle that they are the special property of God. 'In the famous donation of Ethelwolf, the consecration of the tenth part of the lands was confirmed.'

Gradually opposition to such taxes developed. In 1775, a Memoial was addressed to the General Court of Massachusetts, in which the followig language appears: *"FOR A CIVIL LEGISLATURE TO IMPOSE RELIGIOUS TAXES IS, WE CONCEIVE, A POWER WHICH THEIR CONSTITUENTS NEVER HAD TO GIVE, AND THEREFORE GOING ENTIRELY OUT OF THEIR JURISDICTION. WE ARE PERSUADED THAT AN ENTIRE FREEDOM FROM BEING TAXED BY CIVIL RULERS TO SUS-*

TAIN RELIGIOUS WORSHIP IS NOT A MERE FAVOR TO ANY MAN OR MEN IN THIS WORLD; BUT A RIGHT AND PROPERTY GRANTED TO US BY GOD, WHO COMMANDS US TO STAND FAST IN IT. WE SHALL WRONG OUR CONSCIENCE BY ALLOWING THE POWER TO MEN WHICH WE BELIEVE BELONGS ONLY TO GOD."

These utterances show clear thinking, and present arguments difficult to disprove. People now living in nations where the Church is established, are asking, with more and more determination, why all laws by which the Established Church is recognized in a way in which other religious bodies are not recognized, should not be repealed; why bishops of some particular communion only should have seats in the House of Lords; why this privilege, if right, should not be shared by ministers of other communions; why ecclesiastical courts which have coercive jurisdiction should not be abolished; why the Crown should longer have the appointment to ecclesiastical offices, including control in election of bishops; and why those incapacitated by law and by conscience should be taxed for the support of a religious establishment in which they have no part. These questions are being raised, and will, as Dissenters multiply, be pressed to an answer.

AN ADVANCE

However, the system of State Control is an advance in the development of the true religio-political philosophy. *IT IS BETTER THAN CHURCH DOMINATION.* Both systems have led to persecution, but Church-Absolutism far-outstripped State-Absolutism. The former was the father of the Inquisition. The latter slew those who denied the sovereignty of the King as Head of the Church. A wrong political philosophy leads to disaster. The State, in Russia (until the present) has controlled the Church, and free exercise of religion has been denied, (1939 with determination). But the bands will be broken. Now nearly the world over, State Control and Toleration go hand-in-hand.

SEPARATION OF CHURCH AND STATE

A fourth relation which these two great institutions may sustain each to the other is this: *SEPARATION OF CHURCH AND STATE.* Up to the Reformation, there was general recognition of the law of external unity in religion. The powers of the government were used to prevent schism, which was regarded as the infraction of the public peace. But at the Reformation, two new principles came by slow degrees into view: First, Liberty of conscience, otherwise called the right

of private judgment. Second: Toleration: or, respecting liberty of conscience. "We, as fallible creatures, have no right, from any bare speculation of our own, to administer pains and penalties to our fellow creatures, whether on social or religious grounds. We have right to enforce the law of the land by such pains and penalties because it is given by Him who has declared that civil rulers are to bear the sword for the punishment of evil doers, and for the praise of them that do well." (Gladstone).[1] Here is a distinction very generally overlooked. The church is not clothed with authority to administer civil pains and penalties. And the State is limited, in execution, to laws founded upon the law of God. "Any law which contravenes the law of God is no law at all." (Blackstone).

The "Second Book of Discipline", practically a revised edition of the Huguenot Discipline by Synod of Paris, 1559, contains almost the first explicit declaration, in Reformation times, but in such a manner that the ecclesiastical was virtually placed above the civil power. Thus: "As the ministers of the ecclesiastical estates are subject to the magistrate civilly, so ought the magistrate to be subject to the Church spiritually and in ecclesiastical government." 'The civil power should command the spiritual to do its office according to the word of God.' 'Spiritual rulers should require the Christian magistrates to minister justice and to punish vice, and to mantain the liberty and quietness of the Church, and pun-

1 "The Vatican Decrees in their Bearing on Civic Allegiance"—Gladstone.

ish them civilly who will not obey her discipline,' 'but he is not to execute the censures of the Church, nor yet prescribe rules how it should be done."

In the American Colonies, the principle of separation of the two institutions was applied—not in all the Colonies at the first; but at the adoption of the Constitution the application covered all. "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof." (First Amendment). In America, thereof, the illustration of the philosophy of the separation of Church and State is to be looked for. It is seen in operation, ready for comparision with other systems.

CLEAR DISCRIMINATION

Free-thinkers advocated the separation of Church and State because of hatred to the Church and wish to destroy her. Such was not, however, the intent, purpose, or desire of the framers of the system of separation. They had no less interest in the Church, her welfare, her advancement, than had those who would put her, in their misguided judgment, under the fostering care of the State: or, would exalt her to absolute supremacy. The philosophy seeks the highest interests of both institutions, to bring both into harmony with the inalienable rights of subjects, according to the Word

of God. First: It is based upon the principle—FREEDOM OF CONSCIENCE. "Toleration," says an author, "is not the opposite of intollerance, but the counterfeit of it. Both are despotism. One assumes to itself the right of witholding liberty of conscience; the other, of granting it."[1] Spinoza, who favored Democracy as the best form of government, stood for freedom of religion: but, strangely enough, denied liberty for its free exercise. This he would leave wholly to the discretion of the civil power. He did not favor a State Church, but would leave each religious community to the care of its particular form of worship, within limits defined by law. Locke went, in some respects, still farther, holding that the opinions of the people were not to be vised by the State, and therefore there should be absolute liberty in religion. It will be observed that this almost coincides with the views of the Reformers of the same date.

Viet Von Sackendorf, in his "Christian State", 1685, endeavored to liberate the ecclesiastical from civil control. He insisted that government had no right to constitute itself ruler over the faith. He assigned the forceful reason—Christ and His Apostles did not convert the world by force.

Tertullian was violent in his language against heretics, but withal, upheld in eloquent terms, liberty of conscience and of religious conviction. He used this language, "If religion is exercised by compulsion, its fruits are no longer religion."

1 Author Unknown.

William of Orange granted to Non-Conformists, by solemn statute, liberty of conscience, and freedom of worship: but not to an equality of position.

Luther put the question of conscienec thus, "Whenever the temporal power presumes to legislate for the soul, it encroaches upon the government of God, and seduces and corrupts the soul. —Let them command as strictly and rage as furiously as they will, they cannot force the people further than to follow them with their mouth and hands. Even should they rend them to pieces, they cannot coerce the heart.—Heretics must be vanquished with the pen, as the Fathers have done, not with fire."

Geffcken thus sums up a conclusion: "The State which denies the spiritual functions of the Church, or even meets her with the spirit of hostility, will never indeed in the long run, make its will prevail, because the exercise of those functions rests upon a peremptory craving of the human soul, which scorns all opposition."[1] The very nature of the soul, its accountability to God, stresses the absolute necessity for freedom of conscience. The mighty determination to have freedom of worship, is illustrated in the great exodus of the Huguenot's from France at the Revocation of the Edict of Nantes, 1685. About three hundred thousand left their home-land and property in obedience to conscience, and at the risk of their lives. They were the flower of the French People.

1 "Progress of Religious Freedom"—Schaff.

willing to endure anything to preserve the rights of conscience and freedom of *WORSHIP. Their conduct affords one of the most illustrious examples that you cannot bind conscience. IT MUST BE FREE!* IT IS NOT REMARKABLE, therefore, that *CONSCIENCE SHOULD SEEK A NEW WORLD IN WHICH THESE YOKES OF BONDAGE SHOULD BE FOREVER UNKNOWN!!* To the individual conscience is entrusted the responsibility of acting for itself in matters of religion. The Church deals with the conscience and insists that it shall be free. She resists coercion by the State, and *provides,* without the agency of the State, *for the spread of the Gospel, the building up of the kingdom of God, and for every work suggested by intelligent love.*

There is no more inalienable right than that of public worship. It is a Divine right. Herein is the highest exercise of true liberty. Freedom cannot exist without it. If men may not obey their religious convictions in the exercise of worship, liberty does not exist. Much of religion is in obeying these mandates of conscience in the worship of God. Over it the Church has jurisdiction. In it she is supreme. Into it the State cannot enter without disturbing the peace, *AND BECOMING AN UNAUTHORIZED INTRUDER INTO MOST SACRED ACTS, DUTIES AND RELATIONS.*

The tendency of a LITURGY is to harden into formality.

THE DIVINE RIGHT VESTED IN THE FREE EXERCISE OF WORSHIP PERFORCE SEPARATES CHURCH AND STATE

More still, THE STATE MUST GUARANTEE that it not only recognizes this separation and independence,
BUT WILL NOT PERMIT ANY BODY OR ANYTHING TO INTERFERE. (Rome).

This is still broader and on the lines of true religio-political philosophy. Nor is the State charged with the duty of ascertaining just what is the character of the belief, so *LONG AS THE LAWS OF ORDER ARE RESPECTED AND NOTHING IS DONE TO UNDERMINE MORALITY* and *CIVIL AUTHORITY*, and due respect is had to the rights of others.

As early as 1648, the principle of the rights of conscience in matters religious had greatly developed. The Churches of New England, through a Synod, declared that "it is not in the power of the magistrate to compel subjects to become Church members; and as it is unlawful for Church-officers to meddle with the duties of the magistrate, so is it wrong for the magistrate to meddle with the work proper to Church-officers." By the Charter of Rhode Island, 1663, it was decreed that "no person within the said colony should be in anywise molested, punished, disquieted, or called in question, for any difference of opinion in matters of religion which did not actually disturb the peace of said colony; but that all and every person and persons might from

time to time and, at all times thereafter, freely and fully have and enjoy their own judgments and conscience of religious concernments."

The English government is an example of the recognition of the rights of conscience, *in connection with the Established Church.* IT TOLERATES ALL FORMS OF DISSENT. But only TOLERATES!! In the United State of America, TOLERATION *is not in the catalogue of rights. The Constitution guarantees freedom for worship and of conscience to all.* This is not a privilege created, or conceded by the State, BUT AN INALIENABLE RIGHT.

According to Judge Cooley, the following things are not lawful in any State in the Union—

"I: *Any law respecting an establishment of religion.*

II: *Complsory support, by taxation, or otherwise, of religious institutions.*

III: *Compulsory attendance upon religious worship.*

IV: *Restraints upon the free exercise of religion according to the dictates of conscience.*

V: *Restraints upon the expression of religious belief.*

When an effort was made about 1760-9 to establish by civil law a Protestant Episcopate in America, it produced discussion and not a little indignation. The common people were sturdily opposed. In 1769, a popular caricature was published in Boston entitled, "An attempt to land a

Bishop in America." A lord-bishop in full canonicals, state-carriage and appurtenances was represented as coming. He is met by a crowd, carrying banners inscribed, "LIBERTY AND FREEDOM OF CONSCIENCE," "NO LORDS, SPIRITUAL OR TEMPORAL, IN NEW ENGLAND".-and with "Sidney on Government"; Locke: "Calvin's Works"; "Barclay's Apology", flying at his lordship, he seeks refuge aboard ship, praying, "Lord, now lettest thou they servant depart in peace!" Such was the determination of the people of the New World to secure and maintain liberty of conscience."

That the State may not invade the rights of conscience is evident from these three propositions:—

First: That God has made other and ample provision for the spiritual welfare of men is evidence that the State may not enter upon these responsible duties. As the Lord Jesus Christ has established a dominion by His Spirit and Word over the souls of men in their relations to God, IT MAY BE PRESUMED THAT CIVIL POWER IS NOT ENTITLED OR QUALIFIED TO RULE IN THAT SPHERE.

Second: Divine law is recognized as more sacred than human, and Christians are authorized to obey the former in preference to the latter. This assumes that the State is not charged with the duty of shaping religious belief, or of prescribing the worship of God. These lie in "regions beyond".

Third: The soul can be judged and punished by God only. For the State to require conformity to

certain religious duties, creed, or worship, is incompatible with this personal and indvidual responsibility. The questions of religious duty are fairly above the reach of State control, and should be left to God and His providence, to the Savior and His people, to the power of truth and love ACTING UPON THE UNTRAMMELED CONSCIENCE.

Nor may the CHURCH INVADE THE PROVINCE OF THE STATE. She has nothing to do with taxation, providing for the common defence, the laying out and maintaining of high-ways, the erection of public buildings, the administraton of justice, the election of civil officers, etc., except it be by way of moral influence. As an organization, into these she does not enter. Miller, though favoring a limited establishment, has this to say, "The Church is divinely and definitely founded by Christ, with officers and institutions of her own. If the Church trespasses upon the domain of the State, meddling with the adminstration of government, or interfering with trades and industries, or wielding the civil sword; or, if the State interpose in controversies of faith, or spiritual life, or employs direct coercion in matters purely spiritual and religious, or takes the reins into its own hands, or refuse to permit freedom of election and of self-government; then it is just as clear that the one is violating the independence of the other. The dominions of the two are distinct. and in the maintainance of that distinction lies the secret of satisfactory and permanent cooperation between the two bodies."[1]

1 Miller.

Once again: Separation gives religious life and institutions opportunity for their highest development, and the exercise of spiritual power. During the agitation which preceded the separation of Church and State, in New England, Dr. Lyman Beecher, pastor of an important Church at the crisis, thus wrote: *"It was as dark a day as ever I saw! The injury to the cause of Christ, as I then supposed, was irreperable. For several days I suffered what no tongue can tell* FOR THE BEST THING THAT EVER HAPPENED TO THE CHURCHES. IT CUT THE CHURCHES LOOSE FROM STATE SUPPORT. IT THREW THEM WHOLLY ON THEIR OWN RESOURCES AND ON GOD. THEY SAY MINISTERS HAVE LOST THEIR INFLUENCE! THE FACT IS THEY GAINED. By voluntary efforts, societies, missions, revivals, they exert a deeper influence than ever they could by queues, and shoe-buckles, and cocked-hats, and gold-headed canes."

In Rome, as one rises to higher office, he is at each step, clothed with richer garments, more magnificient jewels, and longer train (trail), up to the Pope: who, arrayed in splendor, is carried on the men's shoulders to a highly adorned throne. Wearing the tiara—the three crowns—of Church: of State: of Purgatory—he raises his hands sparkling with precious stones, and pretends to bless in the name of the humble Nazarene.

In the matter of SEPARATION OF THESE TWO EQUALLY GREAT AND EQUALLY DIVINE INSTITUTIONS, AND ADVANTAGES

RESULTING THEREFROM, these propositions appear to be sound:—

I: *The Church can adapt herself to the needs of the times.*

II: *Personal responsibility is developed.*

III: *Spiritual character of the Church is raised.*

IV: *She goes forth under the Commission of her Divine Head, untrammeled and unhindered.*

Some argue that a union of Church and State should exist, in order that a certain profession of religion by the Sovereign or Ruler may be secured, and that he may be constrained to observe religious ordinances. But this can at best only secure outward conformity. A profound illustration of this is seen in King James, one of the most bloody persecutors. Yet he receives special and distinguishing Christian laudation in Preface to "King James' Version" of the Bible.

Furthermore, SEPARATION OF CHURCH AND STATE LEAVES THE CHURCH FREE TO MEET ANTAGONISTS ON THE FIELD OF SPIRITUAL CONFLICT. The mightiest, grandest victory which the Church ever won was in the conflict with heathenism. (See Ulhorn's Conflict of Christianity with Heathenism.) "The early Church was called," says Professor Ellinwood, "TO CONVERT ITS CONQUORERS. THE HEATHENISM OF THE ROMAN EMPIRE HAD THE GOVERNMENT ON ITS SIDE. THE APOSTLES BELONGED TO THE VANQUISHED RACE. THE EARLY CHRISTIAN FATHERS WERE THE SUB-

JECTS OF HEATHEN EMPERORS AND THERE WAS A SUGGESTION OF TREASON IN THE PRINCIPLES AND USAGE OF THE CHRISTIAN CHURCH": (Prof. Ellinwood, In University Lectures.) In this life and death struggle, hers was a despised religion, without standing, privilege or favor. It came from a conquered people, whose very name was hated. It was a conflict of courage, of high purpose, of the glory of God, of the redemption of man—pitted against the mightiest nation on earth, which delighted in torture and blood. Strange as it may seem, the new religion spread through the conflicts of three hundred years. Its final triumph made Christianity the religion of the Roman Empire. In the language of the Apostate Julian: "O Nazarene! thou hast conquered!!" *Here was a Church free and untrammeled and unaided; at the same time, despised, outlawed, butchered.* But she overcame. This demonstrates that the Church, to gain her mightiest victories, *must be free from State control.* History does not record such victory when the Church was in union with the State whether the one, or the other was supreme. "I have never drawn the sword, but have fought only with my tongue and with the Gospel; and with these weapons still fight against pope, bishop priest, monk, idolatry, error, sects; *and therewith have I achieved more than all the emperors and kings could have accomplished with all their violence and might.*" (Luther). The power of truth is to be commended to men's conscience by resolute protest; by patient suffering. A few men,

prepared to bear testimony, and if need be, to suffer, in the cause, will not fail to win over to their side an irresistible force of public opinion. if their cause has sufficient gravity to commend itself to the moral judgment of men. An Ambrose, strong in the spiritual fervor of a righteous indignation, will turn the heart of a despot by his rebuke. Ministers in Germany, imprisoned for defending the independence of the Church, arouses God's people the world over. Let the clergy be true to their calling, and no power on earth can break the sacred bond which unites the Church to her loving Lord. But if the Church forgets her mission, loves temporal power, joins with the State in corrupt alliance, both land and Church will suffer. The Church becomes guilty of unfaithfulness and rests on the carnal weapons of arbitrary power. *"The rage of paganism, fierce as a bear robbed of her whelps; the scorn of philosophy falsely so-called; the sword of the State wielded by the fanaticism of a perverted Church, and the pride of natural science, soaring with untried wings into the heights of speculation*, HAVE BEEN MET ONE AFTER ANOTHER, AND PUT TO SHAME, BY THE SIMPLE MAJESTY OF CHRISTIAN CHARACTER AND CHRISTIAN TRUTH."

The Hon, Arthur Elliott, in a work entitled the "State and the Church", in which he learnedly sets forth the legal aspects of the Established Church of England, says: "The tendency, however, in the present day is for the Church to rely more and more on voluntary effort, and less on

State assistance. It may be confidently predicted that *Parliament will never make another grant out of the public purse to build fresh Churches for the Establishment."*[1] This is a signficiant statement. Another by the same high authority is not less so: "It need hardly cause surprise, if, when the Church takes to relying so much on the voluntary contributions of its own members, it should BECOME MORE IMPATIENT OF EXTERNAL CONTROL."[1]

Trained otherwise, it is difficult in this land to understand the great advancement necessary tc final separation of these two institutions, as was, for illustration, accomplished by disestablishment in Ireland. *It means that ecclesiastical corporations shall be dissolved; that the bishops shall lose their seats in the House of Lords; that the Crown shall give up the right of appointing Church dignitaries; that ecclesiastical courts (raised by the State), and ecclesiastical law (enacted by the State), shall be abolished; that all ecclesiastical* jurisdiction shall cease. THESE STEPS ARE BUT LESS THAN REVOLUTION. That disestablishment proceeds slowly is not remarkable. That it will finally in all nations be an accomplished fact, appears not to admit or doubt.

1 "The State and the Church"—Elliott, M.P.

Separation of these two great institutions releases the state from burdensome questions, thereby giving her opportunity for her material development. This is a matter of highest importance, and may be incontrovertably illustrated. An Author makes this statement: "Experience has shown that the gifts of men are so diverse that the same hands are rarely fitted for temporal and spiritual government. Impartial and speedy justice, sympathy with popular interests and material prosperity, a mind habituated with the business of this life, to roads, to markets, to finance, police and the like, are the qualities required of a statesman: and these are the qualities as to which the children of this world are wiser than the children of light. The worst governed States of modern times have been under clerical control and rule: while on the other hand, rulers of little private worth have been true shepherds of the people." It is succeptible of demonstration that when the Church rules, THERE IS NOT A HIGH GRADE OF MATERIAL PROSPERITY OR A HIGH STANDARD OF DEVELOPMENT: NEITHER IN ART, NOR IN THE RESOURCES OF THE COMMONWEALTH. Hands trained for ecclesiastical purposes, are not trained for civil affairs. And for such to attempt the management of the concerns of the State, as taxation, imports, productions of the country, the army and navy, foreign policy, etc., etc., MUST CERTAINLY IMPAIR THEIR USEFULNESS

IN SPIRITUAL MATTERS—THAT TENDER SOLICITUDE FOR SPIRITUAL INTERESTS WHICH IS THE DISTINGUISHING MARK OF THE TRUE "servants of Christ and stewards of the mysteries of God".

Some South American States ARE IN BONDAGE TO THE STATE CHURCH, AND ARE IN SEMI-MEDIEVAL CONDITIONS. THEY ARE TWO HUNDRED YEARS BEHIND THE TIMES!! AND THE PROGRESSIVE DEELOPMENT OF SOUND RELIGIO-POLITICAL PHILOSOPHY. A State to make progress to keep up with the procession in the 20th Century, must be rid of Medieval notions, and no longer attempt to apply this cast-off philosophy In some of the South American States, true liberty does not exist. And the material development of these countries is as far behind as their old principles. Not one of said States ranks up with England with its Established Church, BUT UNQUESTIONED TOLERATION; or with the United States with its SEPARATION OF CHURCH AND STATE. With great natural resources, they are still in semi-Medieval conditions. The great strides of the United States are because of the separation of Church and State, and free initiative. It is believed that the States of Europe will not realize their highest destiny until the new and better political philosophy is accepted. The old, because of its semi-bondage, is incapable of raising either Church or State to the realization of their great ends. The barriers must be burst; overleaped; left behind; in the

application of the true religio-political philosophy —SEPARATION OF CHURCH AND STATE.[1] France cast off Rome's authority. Spain did, buf has been brought under.

RELIGION

But while the independence of both Church and State is guaranteed, THE STATE MUST RECOGNIZE RELIGION: not any religion; but GOD'S religion. There is a profound difference between the union of Church and State, AND THE UNION OF THE STATE AND RELIGION. The latter is a NECESSITY, the former is to be RELIGIOUSLY, POLITICALY, PHILOSOPHY, REJECTED. Just here, that very excellent writer, Hovey, in his "Religion and the State," appears to be in error. He maintains that the State has nothing to do with religion excepting to throw over every form of religion its guarantee and protection. "It is a sad confession," he says, "of weakness for any body of Christians to seek aid from the civil authorities in maintaining religion." If "aid" to a denomination is referred to, his statement is good. This however, is not his view. He adopts the "Secular Theory" of government, not now accepted by authorities. He fails to see that the State owes its existance to the authority and law to God. A better poli-

1 France cast off Rome's authority. Spain did the same, but has been brought under again

tical philosophy is seen in the Grant and Charter to Maine, 1639. In this is the following provision: "No interpretation being made of any word or sentence whereby God's holy and true Christian religion now taught, professed and maintained the fundamental laws of this realm or our allegiance, to us our heirs and successors may suffer prejudice or diminucon."

The Colonial Charter granted to Massachusetts, 1662, imposed upon the State the duty of providing for religious worship. The Constitution of Massachusetts, as late as 1780, 'required all towns and local communities to maintian public Protestant teachers of piety, religion and morality; whose LECTURES ALL CITIZENS WERE ORDERED TO ATTEND, so far as they could do so without scruples of conscience, or excessive personal inconvenience, the neglect being threatened with fines.' Seven States originally required a 'religious test' as a qualification for office. Massachusetts, and Maryland required belief in the Christian religion. North Carolina debarred from office all who denied the existance of God, or the Divine authority of the Bible. In South Carolina, Georgia, New Jersey, Hew Hampshire belief in the Protestant religion and in the Divine authority of the Scriptures was required. Vermont went still further: She gave full liberty of conscience and equality of civil rights; but enjoined upon all Christian sects alike the observance of the Sabbath. Pennsylvania required a declaration of belief in God and in the Trinity. As would be expected, with such Colonial Consti-

tutions, the Federal Constitution guaranteed freedom of worship and of religion. The exercise of civil rights under said Constitution does not depend upon profession of a particular form of faith, and Congress is prohibited from legislating in the interests of any particular religion, or hindering its free exercise.

BUT THIS DOES NOT DEBAR THE RECOGNITION OF RELIGION

"Why should the State profess a religion? Because it is composed of individual men; and they, being appointed to act in a definite moral capacity, must sanction their acts done in that capacity by the offices of religion; inasmuch as the acts cannot otherwise be acceptable to God." (Gladstone.) This same Honorable Author, in his book, "The State in its Relation to the Church," (1839), advocates the recognition of religion by the State. "There should be," he says, "by the State, a profession and maintenance of religion by the governing body. By its profession is meant the observance of its ordinances on the part of those who compose the governing body throughout their acts done in that particular capacity; by its maintainance, the upholding of its institutions through the instrumentality of influence and pecuniary support, in proportion as they may be at their disposal, with the ultimate

view of offering that religion to every individual within the nation."[1] The Author however, maintains that the State is not to do this unless the majority of the people are of the religion to be established. This reservation, 1st, Is opposed to the principle laid down. 2nd, In its restricted application, the rights of the minority are not respected. 3rd, Forcing the minority to support by taxation a religion they do not, in all its doctrines, believe, is Popish in principle and looks toward the Inquisition.

"The essence of law," says Geffcken, "rests upon morality, which itself has its roots in religion. Into this province of civil jurisdiction, which defines the external relations of men, RELIGION ALSO ENTERS, IN ITS OUTWARD EMBODIMENT IN A COMMUNITY; AND ON THIS GROUND, IF ON NO OTHER, THE STATE CANNOT TREAT IT WITH INDIFFERENCE. Nor yet for another reason more deep-seated, INASMUCH AS THE STATE ITSELF IS A MORAL COMMUNITY, AND MORALITY ALWAYS, IN ITS ULTERIOR RESORT, RESTS UPON RELIGIOUS BELIEF—an axiom already demonstrated by the law itself, the MOST IMPORTANT INSTRUMENT OF STATE POWER. —Where ever *fas* becomes powerless, whether through the selfish usurpation of priviledged estates, protected by the *jus*, over the majority of the people, or through the tyranny of religious unbelief, THERE THE STATE ITSELF IS ON THE ROAD TO RUIN; nor can the brittle props

1 "The State in its Relation to the Church"—Gladstone.

of a still outwardly existing system of law arrest the decline. A State which is deprived of its foundations of morality and religion, has lost its intrinsic substance and support."[1]

Plutarch makes this statement: "A city might sooner exist without house or grounds than a State without belief in the gods." Thorough consideration will prove the judgment of this old sage. The Greeks worshipped Apollo as "the revealer of Zeus; the interpreter of the thought and governing will of the Supreme.—Apollo worship exerted a salutary and humanizing influence. IT WAS PROFITABLE FOR STATESMENSHIP AND THE COMMON WEAL, FOR HIGH PERSONAL IDEALS OF CHARACTER.—IT AROUSED HUMAN ENERGY TO THE NOBLEST ACTIVITIES. *It fostered military prowess literary attainment, wise administration of laws the cultivation of art, and the general refinement of society.*" (Professor Ellinwood, in University Lectures.)

If these beneficent ends were gained by the recognition of this ancient heathen religion, and by and through which Greece became for the time the glory of the nations, shall it not be admitted that, after all, a nation is what its religion makes it? Without a religion the State has no cohesive uplifting, power. Therefore, the recognition of religion is the highest national wisdom.

It does not appear that this proposition, backed by such illustrations, can be successfully controverted. "In spite of natural aversion," says a

1 Geffcken.

learned author, "to things divine, the religion of a country is ever found by experience *to have a greater influence* ON ITS CHARACTER AND DESTINIES THAN ANY OTHER CAUSE. It is able to operate upon men through very many channels, both visible and unseen, and it finds its way very far inwards; whether positively, by the effort required for its acceptance, or negatively, by that needed for its utter rejection."[1] The history of nations establishes the truth of this proposition, AND SO CLEARLY THAT THE HYPOTHESIS OF A NATION WITHOUT A RELIGION, BLANK SECULARISM IN LAW, INSTITUTIONS, AND ACTS, IS IMPOSSIBLE.

MODERN GOVERNMENTS AND RELIGION

Nowhere has the writer observed so full and clear statement of the relation of modern governments to religion, the various positions maintained, as in a work of the Hon. William E. Gladstone. He names seven—

"I: That uniformity in the Christian religion is absolutely essential to citizenship.

II: That uniformity on all points of the Christian Religion is desirable for citizenship, and essential for office of political trust and privilege; and that, even for citizenship, unanimity in fundamentals cannot be dispensed with.

1 Author Unknown.

III: Contemporaneous with this modifications is the growth of a third opinion, which views heresy less as an antecedent disqualification, poisoning, as it were, the character of men, than as a probable cause of overt acts directly injurious to the State, through fear of which overt acts, men are used to exact disclaimers and adjurations, and the heretical worship generally is discouraged and repressed.

IV: A fourth form is, that separatism should be stifled by prevention of its assemblies, rather than followed by absolute penalties.

V: That Christianity in some form is essential to office, but that all religious creeds which are *prima facia* serious and sincere, or, even unbelief, if appearing under the same aspect, are to be tolerated, as a fifth and later form, under which we now live in England.

VI: That all forms of religion, or of professed Christianity, should receive active and pecuniary support from the State.

VII: That all alike should be refused it."

These are clear utterance and by a distinguished statesman. The United States appear to be under No VII; with the modification that the Christian Religion is the Common Law of the Land.

To demonstrate this, a few authorties will be cited, and to show that RELIGION MAY BE RECOGNIZED WITHOUT ESTABLISHING A CHURCH.

Passing over Charters and Colonial Compacts, attention might be called to the Journals of the Continental Congress. These contain records of numerous and devout acknowledgements of God. May 17, 1776, was kept as "a day of humiliation, fasting and prayer", by the appointment of Congress. The Declaration of Independence, contains a direct appeal "to the Supreme Judge of the world" and expresses "a firm reliance on the protection of Divine Providence". The Articles of Confederation, ratified June 26, 1778, acknowledges "the Great Governor of the world." The third article of the famous Ordinance for the government of the Territory of the Northwest, contains the following provision: "Religion, morality, and knowledge being necessary to good government and the happiness of mankind, etc." The thirteen original State Constitutions all contained devout acknowledgements OF GOD AND CHRISTIANITY, except Virginia. More than forty of our present State Constitutions contain, in some form an acknoledgement of God. The Constitutions of Alabama, Georgia, Pennsylvania and Virginia, 'invoke the guidance of Aimighty God.. Those of Maine, Massachusetts, and South Carolina 'implore the aid and direction of the Severign Ruler of the universe'. Those of Illinois, Iowa, and North Carolina, 'acknowledge dependence upon Almighty God'. That of Colorado acknowledges "dependence" and expresses "profound reverence for the Supreme Ruler of the universe". Those of New Jersey and Rhode Island 'look to Almighty God for blessings'.

The following high authorities may be cited, They show that a State may recognize RELIGION without establishing a Church. "We are a Christian people, and the morality of the country is deeply engrafted upon Christianity.—Christianity, in its enlarged sense, as a religion revealed and taught in the Bible, is not unknown to our law." (Chancellor Kent, Chief Justice of Supreme Court of New York.)

"Christianity, general Christianity, is and always has been a part of the common law of Pennsylvania; not Christianity with an established Church, and tithes, and spiritual courts, but Christianity with liberty of conscience to all men." (Justice Duncan, of the Supreme Court of Penna.)

"The Christian religion is recognized as constituting a part and parcel of the common law, and as such, all institutions growing out of it, or in any way connected with it, in case they shall not be found to interfere with the rights of conscience, are entitled to the most profound respect and can rightfully claim the protection of the law-making power." (Chief Justice Johnston, in the Supreme Court of Arkansas.)

"It is said, and truly, that the Christian religion is part of the common law of Pennsylvania." (Justice Story, of the Supreme Court of the United States.)

During the war of the rebellion, on March 2, 1863, the Senate of the United States, passed a

resolution "devoutly recognizing the supreme authority and just government of Almighty God, in all the affairs of men and nations," and called upon the President to set apart a day for national prayer and humiliation.

Justice Story made this incontrovertible declaration: "The right and the duty of the interference of government in matters of religion have been maintained by many distinguished authors as well those who were the warmest advocates of free governments as those who were attached to governments of a more arbitrary character. Indeed, the right of a society or government to interfere in matters of religion will hardly be contested by persons WHO BELIEVE THAT PIETY RELIGION, AND MORALITY ARE INTIMATELY CONNECTED WITH THE WELL-BEING OF THE STATE, AND INDISPENSABLE TO THE ADMNISTRATION OF CIVIL JUSTICE.—It is impossible for those who believe in the truth of Christianity as a divine revelation to doubt that it is the especial duty of government to foster and encourage it among all the citizens and subjects.—In a republic there would seem to be a peculiar propriety in viewing the Christian religion as the great basis on which it must rest for its support and permanence, if it be, which it has ever been deemed by its truest friends to be, THE RELIGION OF LIBERTY. —Probably at the time of the adoption of the Constitution, 'and of the First Amendment to it', the general, if not the universeal sentiment in America was that Christianity ought to receive

encouragement from the State so far as was not incompatible with the private rights of conscience and the freedom of religious worship. An attempt to level all religions, and to make it a matter of State policy to hold all in utter indifference, would have created disapprobation, if not indignation.— The real object of the Amendment was not tc countenance, much less to advance, Mahometanism, Judaism, or infidelity, by prostrating Christianity; but to exclude all rivalry between Christian sects AND TO PREVENT ANY NATIONAL ECCLESIASTICAL ESTABLISHMENT WHICH SHOULD GIVE TO HIERACHY THE EXCLUCIVE PATRONAGE OF THE NATIONAL GOVERNMENT." (Story's Commentaries on the Constitution, Cooley's Edition, Vol. II., pp. 603-606.)

Judge Story's comment on the First Amendment might explain the "No Religious Test", Art. IV. The Constitution was adopted 1787. The First Amendment 1789, and may have been demanded to clarify Art. VI, and as a further protection from conditions overseas.

Other authorities could be cited: but these are sufficient. The proposition is established: viz: The State must have a religion. Atheism is impossible. Secularism can live only for a time. The religious convictions of the people will manifest themselves, AND NO HUMAN POWER CAN REPRESS THEM. In Abyssynia the religion is Coptic: (and still is as a people), in Algeria, Mohammedan: in Egypt, chiefly Mohammedan: in Morocco, Mohammendan: as also it is in Afghanis-

tan, Tunis, Persia, Turkey, etc. In India the prevailing religion is Hinduism: in Ceylon, Buddhism: in China, Confusianism, Buddhism and Taoism: in Japan, Shintoo and Buddhism: in Belgium, Catholicism: in the Netherlands, Protestenism: in Britian, Protestantism: in the United States, Protestantism. The religion of the mass of the people will manifest itself, and will influence, if not direct, the government.

INSTITUTIONS AND LAWS CONFORM TO THE PREVAILING RELIGION

This is seen in America and British institutions and jurisprudence, as also in the laws and institutions in non-Christian States. Until the form of government was changed the Emperor, by law, offered his yearly whole burnt-offering in the Temple of Heaven, Peking, China. The Mikado is believed to be a descendent of the Sun goddess, and her worship in Japan is strictly observed. The laws are in harmony with the religion.

Formerly Russia supported the Greek Church. Turkey, Moslem, closes schools if the Christian religion is taught; though by treaty she cannot restrict the messenger of the Gospel. Formerly Germany supported Protestantism—which she is now trying to destroy. *An examination of* THE LAWS AND INSTITUTIONS OF THE UNITED STATES AND OF THE VARIOUS STATES

WILL DISCLOSE THE CHRISTIAN RELIGION AS THE COMMON LAW OF THE LAND. Sabbath laws; Sabbath *a non dies*: Christian ministers in army and navy as chaplains, and in Congress and legislatures: days of thanksgiving, and sometimes of fasting, etc., etc., demonstrate that the Christian religion is the religion of the nation. (That there is legal basis IN THE CONSTITUTION for these Christian Laws and Institutions is denied. That the Constitution must be amended to give them undeniable legal basis, is maintained. Such Amendment must include the Recognition of God as the source of all Authority: of the Lord Jesus Christ as the Ruler of Nations: of the Word of God as Supreme law: and of the Christian Religion. Wanting such legal basis, Christian Institutions and Laws are robbed of force and place. The more religions multiply and strive for place, the more the above fundamental doctrine will appear true.) The nation does not establish a Church; but she does utter her profound conviction of the truth of the Christian Religion. No nation can exist without the exaltation of some form of religion. Laws and Institutions will take the complexion of the beliefs of the people. If the religion changes, the laws and institutions will change. Therefore, the separation of Church and State cannot mean the separation of the State from religion. Religious convictions will be embodied in laws and institutions. A SECULAR GOVERNMENT IS IMPOSSIBLE. Tried it will not survive. The state is what its religion makes it.

ACTS OF A RELIGION MAY BE RESTRAINED

While the State recognizes, and by sound religio-political philosophy, RELIGION, yet it may restrain acts of a religion which undermine the moral foundations on which government rests. Even Locke, in his "Social Compact" theory, held that "no form of religious belief should be employed as a pretext for teaching doctrine contrary to morals and the safety of the State."[1] At this day, no toleration could be shown, consistent with human safety, to Suttee-widow-burning: the car of the Juggernaut: the murderous rites of the Thugs. Religion may not be made a cover for vice and crime, nor for treason against the Government. This would place the community at the mercy of fanaticism and superstitution: would restore the Inquisition: would license the most terrible wrongs.

The State has not to do with a man's belief: but IT HAS TO DO WITH HIS CONDUCT. If he attempts to practice polygamy, on the ground of religious belief, the State utters an emphatic, NO! and justly requires obedience to the laws of monogamy. If he attempts infanticide, on the ground of religious belief, the State forcibly resists him. If he persists, and takes life, he is held to answer.

The State has to do with ACTS. It insists that these shall be in accord with the recognized standard—WHICH WILL NEVER BE PERFECT, BUT WILL EVER BE DEFECTIVE AND PERMIT, IF NOT SANCTION, WRONG,

1 Locke.

UNLESS SAID STANDARD OF RIGHT BE THE UNCHANGEABLE LAW OF ALMIGHTY GOD. Human standards are defective; can never rise higher than popular views; and may cause one State to sanction what another condemns and punishes.

Thompson, in his excellent work, says: "One may preach polygamy as the ideal paradise of Mohammed, and may predict the millennium of the seraglio; but he may not put his theory into practice under pain of the penitentiary.—The State concedes to every citizen the right to carry his religious notions to the extreme of folly, his religious practices to the extravagance of enthusiasm—so long as his notions are harmless. His vegaries are left to the correction of public discussion. He may pretend to have received from Heaven the torch of truth, and may waive this aloft to enlighten the world; but if he should fire the library, the treasury, the capitol, he would find that liberty itself has an asylum for the madman, a prison for the incendiary, a gallows for the traitor."[1] This principle of regard for conduct is seen in the State's dealings with the so-called Faith Cure. The devotee who rejects the services of a physician is justly called to account, however much he may plead the rights of conscience.

The Supreme Court of Ohio has ruled that "acts evil in their nature, or dangerous to the public welfare, MAY BE FORBIDDEN AND PUNISHED, THOUGH SANCTIONED BY ONE RELIGION, AND PROHIBITED BY AN-

1 Thompson.

OTHER; but this creates no preference whatever, for they would be equally forbidden and punished if ALL RELIGIONS PERMITTED THEM. Thus no plea for religion could shield a murderer, a ravisher, a bigamist; for the community would be at the mercy of superstition if such crimes could be committed with impunity because sanctioned by some religion." (Ohio State Reports, 390.)

It thus appears that legislation in the United States upon adultery, bigamy, drunkenness, indecency and the like social evils and vices affecting public morality, are controlled by the ethics of society. The State deals with these as a moral and ethical being, having charge of the welfare of society. Immoral exhibitions and publications are suppressed by law, BECAUSE THEY STRIKE AT THE FOUNDATION OF GOVERNMENT IN DESTROYING MORALITY. The conviction that underlies all moral legislation is that the safe-guards of freedom ARE INTELLIGENCE AND VIRTUE. Whatsoever, therefore, impairs the fitness of citizens demoralizes the community, strikes at the very life of the State, as a corporate being "whose very existance implies ethical and jural function." THE STATE MUST PUT FORTH ITS POWER TO SUSTAIN GOOD MORALS, or allow the seeds of immorality to develop and eat out the fabric by which a State maintains its life. No rights of conscience or PLEAS OF LIBERTY can be entertained. THE STATE MUST GUARD THE PURITY AND VIRTUE OF ITS CITIZENS. IN SO DOING, IT GUARDS ITS LIFE.

It is within the province of the State to have the Bible read in the Public Schools and in recognition of the Nation's Lord; IN THE INTERESTS OF MORALITY; to give instruction in the history of Christianity, and in the principles of ethics and rules of moral culture, AS THESE HAVE BEEN DEVELOPED UNDER CHRISTIAN CIVILIZATION, AND ARE SET FORTH IN THE WORD OF GOD.

In support of the same proposition, Greenleaf may also be quoted, and he is a high authority. Of blasphemy he says: "This crime, in a general sense, has been said to consist in speaking evil of Diety, with an impious purpose to derogate from the Divine Majesty, and to alienate the minds of others from the love and reverence of God. Its mischief consists in weakening the sanctions, and destroying the foundations, OF THE CHRISTIAN RELIGION, WHICH IS PART OF THE COMMON LAW OF THE LAND, and thus weakening the obligations of oaths and the bonds of society. Hence, all contumelious reproaches of our Saviour, all profane scoffing at the Holy Bible, or exposing any part thereof to contempt and ridicule, and all writings against the whole or any part of the Christian religion, striking at the roots thereof, not in the way of honest discussion and for the discovery of the truth, but with the malicious design to calumniate, vilify, and disparage it, are regarded by the common law as blasphemous, and punished accordingly." [1]

1 Greenleaf, Vol. III., Pages 65,68.

After these clear statements by high authority as to the place the common law, based upon the Christian religion, holds in the government of the United States, further citations are unnecessary.

Not a few writers have been misled by a book published in London, 1781, giving the so-called "Blue Laws" of New Haven, as follows: "No one shall travel, cook victuals, make beds, sweep house, cut hair, or shave, on the Sabbath Day. No woman shall kiss her child on the Sabbath or fasting day. No one shall read Common Prayer, keep Christmas, or Saints days, make mince pies, or dance, or play cards, or play any instrument of music except the drum, trumpet and jews-harp. Every male shall have his hair cut round according to a cap."

It is sufficient to say that there appears to be no trace of such "Blue Laws" in the legislation of the Colony, and that they are a ficticious satire published by one "Samuel Peters, a notorious scamp, who, as on obnoxious loyalist, was obliged to flee to England."

Nations must recognize religion, but they cannot permit acts of a religion which UNDERMINE THE MORAL FOUNDATION ON WHICH GOVERNMENT RESTS. All pleas of conscience must be disregarded, unhesitatingly rejected, in the application of the principles of a sound morality. The philosophy of such procedure in the State is charged with the duty of conserving its life, AND ITS LIFE IS LINKED INSEPERBLY WITH RELIGION AND MORALITY.

INSTITUTIONS WITH BOTH CIVIL AND RELIGIOUS BOUNDARIES

Some institutions have both civil and religious sides. The Sabbath, marriage, divorce, and many other matters, of which the State must take knowledge and make a matter of legislation, also come under the spiritual legislation of the Church. They concern both the temporal and the spiritual welfare. In such questions, to concede to either institution an absolute right WOULD BE TO CONCEDE ALMOST EVERYTHNG. The Sabbath has its civil side; and it has its spiritual side. Hence, both State and Church deal with the matter of Sabbath observance. *Marriage has a civil side, and a spiritual side.* Hence, both State and Church deal with the matter of marriage. These two institutions approach cases from a different angle, and each without regard to the other. Thus the field, both in its spiritual and civil aspects, as was intended by the Great and Divine Author of these two institutions, is COVERED. The citizen is restrained and punished by the State; and has the disabilities and censures of conscience laid upon him by the Church.

Divorce has both civil and religious side. Both church and state have to do with it. The party in the wrong is judged by the church with spiritual censures; and by the state with civil punishments.

Thus while these two divine institutions are, by a sound philosophy, SEPARATE AND DISTINCT, THE DUTIES OF THE TWO OVER-

LAP, AND TOUCH THE CITIZEN AT ONE AND THE SAME TIME. Thus far all is clear.

But in order that neither institution may suffer harm by "separation," and reinforce each the other, IT IS FUNDAMENTALLY NECESSARY THAT BOTH HAVE THE SAME STANDARD OF RIGHT AND UNVARYING AND UNCHANGEABLE FOUNTAIN OF LAW—THE LAW OF GOD! If the State has one standard, the Church another, there is continual friction and protest. If the State's standard be down, the Church receives hurt by the State recognizing a standard of morality which she must reject. This may be made clear by an illustration: A meeting of national importance to consider marriage and divorce, was held in Philadelphia, October 27th, 1889. The Hon. Judge Russel M. Thayer presided. In his address he stated that he had issued decrees of divorce from the bench against the dictates of his conscience, but which were according to law. *"In many and many a case," he said, "have I felt that this thing was being done by agreement, and that the people who were bound by the law of God to remain united, were sundering themselves by a trick, and I did not have the power or capacity to stop it. I have made many such decrees against the dictates of my own conscience, but I was obliged by my official oath to do it because I had sworn to administer the law."* Here the Judge emphasises the proposition under discussion. The State's law on divorce was out of harmony with THE LAW OF GOD. It is argued, therefore, that, IF THE PHILOSOPHY

OF SEPARATION BE SUCCESSFULLY MAINTAINED, BOTH THE CHURCH AND STATE MUST RECEIVE, ACCEPT, AND APPLY THE SAME DIVINE LAW.

BOTH INSTITUTIONS MUST ACT IN HARMONY

Such harmony cannot be had except both institutions acknowledge the same standard—THE LAW GIVEN BY THE GOD AND RULER OF THE STATE, AND THE HEAD OF THE CHURCH. Both institutions being of DIVINE ORIGIN is presumptive evidence that such standard of law, given by the Great Law-giver, is the true basis of all spiritual and civil legislation. Otherwise, there will be disharmony which *will culminate in* THE SUPREMACY OF ONE OR THE OTHER.

While it is maintained, therefore, that the separation of these two equally divine institutions is based on a sound philosophy which secures freedom of conscience, and freedom of worship; and gives both institutions opportunity to develop: yet, both institutions must have the same standard of Fundamental Law; or there will be diverse rulings—one sanctioning what the other opposes.

CONCLUSIONS

Several can be drawn from discussions and citations—

I—The Christian Church came into view under the old notion that the Church is part of the Ruler's estate.

II—Through misconception of her sphere and misreading of her Commission, the Church sought, and for long periods, held, supremacy over the equally Divine and rightly independent Institution—the State.

III—To maintain her authority she persecuted all Christians who would not acknowledge her supremacy and the Pope as Christ's Vicegerent. For hundreds of years she sought to destroy the Waldenses and before them groups joined in fellowship. Through these true ordination came down—not through Rome whose hands dripped with the blood of the children of God.

IV—Through wrong political philosophy and as a natural result of ecclesiasticism the State fought for supremacy and finally succeeded. Then, the State formulated the Church's creeds, directed her worship and ENFORCED RECOGNITION—thus holding in subjection an aqually Divine and of right independent Institution—THE CHURCH.

V—Through these long conflicts principles of right relationship were being gradually developed and toward SEPARATION OF CHURCH AND STATE. (Un-Scriptural theories never have, and never will work).

VI—The point now reached, taking nations in general, is—A State Religion with liberty for the citizen to set up his own form of worship. Britain has an Established Church. But perhaps the majority of the people are Non Conformists. Their places of worship are called CHAPELS—(By law?)

VII—In the United States the "State Church" is rejected. The organization and administration of the Church is left to the people without government interference.

VIII—The State, in its recognition of RELIGION —AN IMPERATIVE NECESSITY—must deal with some matters which also come under the jurisdiction of the Church. The application of law to the same subject by each Institution will harmonize when both recognize the Divine Law as the standard of right.

IN FINE

The Church demands for the world **RELIGIOUS LIBERTY.** The State demands for the world CIVIL LIBERTY. Such will be secured when both

CHURCH AND STATE

take the Bible as the Standard of Right; and when both acknowledge the same Divine Ruler, Law-giver and King—

THE LORD JESUS CHRIST

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